

EXHIBIT 8



KENTUCKIANA
— COURT REPORTERS —

CASE NO. 20-CV-04768
JAMES FLETCHER JUNIOR
V.
JEROME BOGUCKI, ET AL.

DEPONENT:
JEROME BOGUCKI

DATE:
April 20, 2023



✉ schedule@kentuckianareporters.com

☎ 877.808.5856 | 502.589.2273

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF ILLINOIS
3 EASTERN DIVISION
4 JUDGE ANDREA WOOD
5 MAGISTRATE JUDGE MARIA VALDEZ
6 CASE NO. 20-CV-04768
7
8

9 JAMES FLETCHER JUNIOR,
10 Plaintiff
11

12 V.
13

14 JEROME BOGUCKI, ANTHONY NORADIN,
15 RAYMOND SCHALK, ANTHONY WOJCIK,
16 UNKNOWN CITY OF CHICAGO POLICE OFFICERS,
17 AND THE CITY OF CHICAGO,
18 Defendants
19
20
21
22

23 DEPONENT: JEROME BOGUCKI

24 DATE: APRIL 20, 2023

25 REPORTER: KRYSTAL BARNES

APPEARANCES

ON BEHALF OF THE PLAINTIFF, JAMES FLETCHER JUNIOR:

Sean Starr, Esquire

Anand Swaminathan, Esquire

Loevy & Loevy

311 North Aberdeen

3rd Floor

Chicago, Illinois 60607

Telephone No.: (312) 243-5900

E-mail: starr@loevy.com

anand@loevy.com

ON BEHALF OF THE DEFENDANTS, JEROME BOGUCKI, ANTHONY
NORADIN, RAYMOND SCHALK, AND ANTHONY WOJCIK:

Brian Stefanich, Esquire

Hale & Monico

53 West Jackson Boulevard

Suite 337

Chicago, Illinois 60604

Telephone No.: (312) 564-4924

E-mail: bstefanich@halemonico.com

APPEARANCES (CONTINUED)

ON BEHALF OF THE DEFENDANT, CITY OF CHICAGO:

Terrence Burns, Esquire

Reiter Burns

311 South Wacker Drive

Suite 5200

Chicago, Illinois 60606

Telephone No.: (312) 878-1294

Also Present: Kortney Chase, Videographer

INDEX

	Page
PROCEEDINGS	6
DIRECT EXAMINATION BY MR. STARR	7

EXHIBITS

Exhibit	Page
1 - Illinois Department of Corrections Photo	
- CITY-JF-164	158
2 - Composite Exhibit of Photographs -	
CITY-JF-4550-4565	164
3 - Criminal Record Search - CITY-JF-86-96	176
4 - Arrest Report - CITY-JF-149	194
5 - Trial Transcript - FLETCHER 881-1092	213
6 - Initial Case Report - CITY-JF-64-65	219

STIPULATION

The VIDEO deposition of JEROME BOGUCKI was taken at LOEVY & LOEVY 311 NORTH ABERDEEN, 3RD FLOOR CHICAGO, ILLINOIS 60607 on THURSDAY the 20TH day of APRIL 2023 at 10:49 a.m. (CT); said deposition was taken pursuant to the FEDERAL Rules of Civil Procedure.

It is agreed that KRYSTAL BARNES, being a Notary Public and Court Reporter for the State of ILLINOIS, may swear the witness.

PROCEEDINGS

THE VIDEOGRAPHER: We are now on the record. My name is Kortney Chase. I'm the videographer today, and Krystal Barnes with the court reporter. Today's the 20th day of April 2023, and the time is 10:49 a.m. Central Time. We're at the offices of Loevy & Loevy to take the deposition of Jerome Bogucki in the matter of James Fletcher Junior versus Jerome Bogucki et al.

pending in the United States District Court for the Northern District of Illinois, Eastern Division, case number 20-CV-04768. Will the counsel please identify themselves for the record?

MR. STARR: Good morning. My name is Sean Starr. I represent the plaintiff, James Fletcher, in this matter. And I'm from the law firm of Loevy & Loevy.

MR. STEFANICH: My name is Brian Stefanich. I'm from Hale & Monico, and I represent the deponent, Defendant Bogucki.

MR. BURNS: Terrance Burns on behalf of the City of Chicago.

THE VIDEOGRAPHER: Okay. And Mr. Bogucki, will you please raise your right hand for the reporter to

1 swear you in?

2 THE REPORTER: Do you solemnly swear or affirm
3 that the testimony you're about to give will you the
4 truth, the whole truth, and nothing but the truth?

5 THE WITNESS: Yes.

6 THE REPORTER: Counsel may begin.

7 DIRECT EXAMINATION

8 BY MR. STARR:

9 Q. All right. Good morning, sir. Thank you for
10 being here. As I mentioned, my name is Sean Starr and I
11 represent the plaintiff in this matter. Could you
12 please state and spell your name for the record?

13 A. Jerome Bogucki. That's J-E-R-O-M-E,
14 B-O-G-U-C-K-I.

15 Q. Okay. Thank you, sir. I'll let the record
16 reflect that this is a deposition of Jerome Bogucki
17 taken pursuant to notice in the Federal Rules of Civil
18 Procedure, and that there's also a Zoom link for this
19 deposition. Sir, you understand that this case that we
20 are here for today concerns a December 21, 1990 shooting
21 death of a man named Willie Sorrell Junior, and the
22 subsequent Chicago Police Department investigation?

23 A. Yes.

24 Q. Okay. And you understand that the person who
25 was charged and convicted of that crime was a man by the

1 name of James Fletcher, correct?

2 A. Yes.

3 Q. And you understand that Mr. Fletcher is my
4 client, correct?

5 A. Yes.

6 Q. Okay. And you understand that Mr. Fletcher's
7 homicide conviction was vacated, correct?

8 A. I guess so, yes.

9 Q. Okay. And you understand that Mr. Fletcher
10 has filed a lawsuit, and that you were a defendant in
11 that lawsuit, correct?

12 A. Yes.

13 Q. Okay. Sir, what date were you specifically
14 assigned to the Sorrell shooting investigation?

15 A. I don't know if I was assigned. It was in
16 1995. I believe it was in February, maybe.

17 Q. Okay. When you say you don't know if you were
18 assigned, what do you mean by that?

19 A. Well, at the time, myself, my partner, and two
20 other detectives were assigned to look into older cases.
21 And I don't know if it was that case -- this case was
22 presented to me, or if we found it.

23 Q. Okay. When you say your partner, who are you
24 referring to?

25 A. Raymond Schalk.

1 Q. Okay. And then I think you said there was two
2 other detectives as well that were asked to look into
3 older cases. Who were those detectives?

4 A. Detective Robert Rutherford and Kevin
5 McDonald.

6 Q. And so you're not sure if the supervisor asked
7 you to look at this case specifically, or if you decided
8 to look at on your own accord?

9 A. I don't remember that, no.

10 Q. Okay. Was it the case that you did look at
11 some cases by your own hand, that you chose to look at
12 certain cases?

13 A. I believe so, yes.

14 Q. Okay. And then was it also the case that some
15 cases were asked of you by a supervisor to review?

16 A. Pretty much. Yes.

17 Q. Okay. And these were these cold cases? Or is
18 that an incorrect term that I'm using?

19 A. Well, I mean, you can use that term. But they
20 were cases that have been sitting for a while and needed
21 to be looked at again.

22 Q. Okay. Is it fair to say there were cases that
23 had not been solved?

24 A. Yes.

25 Q. Okay, so there was no convictions in the cases

1 that you were reviewing?

2 A. That's correct.

3 Q. Okay. And how many cases -- strike that. What
4 year did you start doing that type of work?

5 A. As far as cold cases?

6 Q. Yes.

7 A. It was probably sometime around then, but I
8 don't remember any specific dates.

9 Q. Okay. Had you been asked to review any cold
10 cases prior to February of 1995?

11 A. I don't remember. I don't know.

12 Q. Okay. Do you recall how many cold cases you
13 reviewed during your tenure as a Chicago police officer?

14 A. No, I have no idea.

15 Q. Was there a specific period of time during
16 your employment as a Chicago police officer where you
17 specifically were assigned to look at cold cases?

18 A. Yes.

19 Q. And what period, generally, was that?

20 A. Again, I'm not sure when that started. But it
21 was pretty much toward the end of my career, the last
22 years of my career.

23 Q. Okay. And we'll get into your employment
24 history in a few minutes. So you don't know the exact
25 date you first began work on the Sorrell investigation;

1 is that correct?

2 A. I don't know the exact date, no.

3 Q. Okay. But you believe it was sometime in
4 February of 1995; is that correct?

5 A. Yes.

6 Q. Okay. At any point in the Sorrell
7 investigation, did you show any witness any photo array?

8 A. At any point?

9 Q. At any point.

10 A. Yes.

11 Q. Okay. How many different times did you show
12 any given witness any photo array?

13 A. Well, I can remember once in '95. And I can
14 remember at least three more times in 2002.

15 Q. And just so I'm correct. You said you
16 remember one photo array that you conducted in 1995, and
17 three more in 2002?

18 A. In regards to this case. Yes.

19 Q. Correct. Okay. Were those photo arrays --
20 did those photo -- strike that. Did those photo arrays
21 constitute the same set of photos?

22 A. The last -- the ones in 2002, yes.

23 Q. Okay. So is it your testimony that you did
24 two different types of photo arrays?

25 MR. STEFANICH: Object to form. You can

1 answer.

2 A. In '95, it was a different set of photos.

3 BY MR. STARR:

4 Q. Okay. So in '95 you did a photo array with
5 one set of photos. In 2002, you did three with the same
6 set of photos; is that correct?

7 A. That is correct.

8 Q. Okay. And at any point during the Sorrell
9 investigation, were you present for any lineup that was
10 conducted in the Sorrell investigation?

11 A. Yes.

12 Q. How many line -- strike that. How many times
13 were you present for a lineup that was conducted during
14 the Sorrell investigation?

15 A. Let me make sure I'm thinking right here. Just
16 once.

17 Q. In what year was the lineup that you were
18 present for conducted?

19 A. 2002.

20 Q. At any point during the Sorrell investigation,
21 did you conduct a photo show up?

22 MR. STEFANICH: Object to form. You can
23 answer.

24 A. Yes.

25 BY MR. STARR:

1 Q. Okay. And a photo show up is when you show a
2 witness a single photo; is that correct?

3 A. That is not correct.

4 Q. Okay. What is your definition of a photo show
5 up, sir?

6 A. The same as you asked before, a photo lineup.
7 It's the same -- same thing.

8 Q. Just for clarity's sake, I didn't ask you
9 about a photo lineup. I asked about a photo array, and
10 about a lineup. So let's make sure we're clear here.
11 What is your definition of a photo array?

12 A. A group of photos shown to a witness.

13 Q. And then what is your definition of a lineup?

14 A. A physical lineup.

15 Q. Okay. So when you say, "Physical lineup," you
16 mean there's physical people standing in a lineup
17 that --

18 A. Yes.

19 Q. -- a witness is viewing, correct?

20 A. Yes.

21 Q. Okay. And then tell me again what your
22 definition of a photo show up is?

23 A. I've never used that term --

24 Q. Okay.

25 A. -- but I -- I'm guessing that you're -- I can

1 only guess that you're referring to a single photo.

2 Q. I'm asking you for a definition. So if you
3 don't have a definition, you can --

4 A. I never use that term.

5 Q. Okay. And are you familiar with the term,
6 "A witness show up"?

7 A. No.

8 Q. Okay. Did you ever conduct a witness show up
9 in your career?

10 A. I don't know what you're referring to.

11 Q. Is there any term for an investigative --
12 strike that. Is there any term for an identification
13 procedure in which a Chicago police officer shows a
14 witness a single photograph?

15 A. Any term?

16 Q. Yeah.

17 A. No not that I know of.

18 Q. Okay. So when I asked you earlier whether or
19 not you ever conducted a photo show up during the
20 Sorrell investigation, I believe you said yes; is that
21 correct?

22 MR. STEFANICH: Objection. I think he said no,
23 and you he think he was referring to the photo
24 array. But you can answer.

25 A. That's exactly right. I -- I thought you were

referring to a photo -- group of photos.

BY MR. STARR:

Q. Okay. So I want the record to be clear. So I think I asked you and you said yes, but the reason you said yes is you thought I was referring to a photo array; is that correct, sir?

A. Yes.

Q. Okay. During your photo array that you conducted in 1995, how many photos were in that photo array?

A. I am not sure how many there were. I would assume there was at least five, maybe more.

Q. And why do you assume there was at least five or maybe more?

A. Just by regular -- my -- what we would normally do.

Q. Okay. So was it your normal practice as a Chicago police officer that, when you conducted a photo array, you would typically use five or more photographs?

A. Yes.

Q. As a Chicago police officer, did you ever conduct a photo array in which you used less than five photographs?

A. Not that I recall.

Q. Okay. And then during the 2002 photo arrays

1 that you conducted, you testified there was three of
2 them. How many photographs did you use in those photo
3 arrays?

4 A. According to my report, seven.

5 Q. When you say, "According to my reports," do
6 you know -- do you have a -- strike that. When you say,
7 "According to my reports," what specific report are you
8 referring to?

9 A. Whatever -- what -- whatever was in the file.
10 Specifically, I think it's got to be in my closing supp.

11 Q. Okay. Is that something that you reviewed in
12 preparation for today's deposition?

13 A. Yes.

14 Q. Okay. And is it your testimony that those
15 2002 photographs, you used the same seven photographs in
16 each of the three times?

17 MR. STEFANICH: Objection. Asked and answered.

18 You can answer.

19 A. As I've said before, yes.

20 BY MR. STARR:

21 Q. Okay. Sir, did you violate Mr. Fletcher's
22 constitutional rights during the Willie Sorrell shooting
23 investigation?

24 A. No.

25 Q. And I believe you testified already that you

1 had a partner by the name of Raymond Schalk; is that
2 correct?

3 A. Yes.

4 Q. So you're familiar with Detective Schalk,
5 right?

6 A. Yes.

7 Q. Okay. And Detective Schalk worked on the
8 Sorrell investigation with you; is that correct?

9 A. That is correct.

10 Q. Okay. Do you know whether or not Detective
11 Schalk ever violated Mr. Fletcher's constitutional
12 rights during the Willie Sorrell shooting investigation?

13 A. To my knowledge, no, he did not.

14 Q. Okay. And do you know who a Chicago police
15 detective by the name of Anthony Noradin is?

16 A. I do.

17 Q. Am I saying that last name correctly?

18 A. It's pretty close, yes.

19 Q. Okay. And did Detective Noradin work with you
20 on the Willie Sorrell shooting investigation?

21 A. He assisted us, yes.

22 Q. Okay. Do you know whether or not Detective
23 Noradin ever violated Mr. Fletcher's constitutional
24 rights during the Sorrell shooting investigation?

25 A. I never saw anything like that, no.

1 Q. Okay. And just for ease of this deposition,
2 and tell me if you don't agree with this, I'm going to
3 probably refer to the Sorrell investigation or the case,
4 you know what case I'm talking about, right?

5 A. Yes.

6 Q. Okay. If I am talking about any different
7 case, I will tell you the name of that case. But for
8 the purposes of this deposition, if I say, "During this
9 case," or, "During this investigation," I'm specifically
10 referring to the Sorrell shooting investigation, okay?

11 A. I understand.

12 Q. Excellent. Do you know whether or not any
13 other Chicago police personnel violated Mr. Fletcher's
14 rights during the Sorrell investigation?

15 A. I do not.

16 Q. All right. Sir, did you coerce a witness
17 by the name of Renee or Shanee Friend to sign a false
18 statement during the Willie Sorrell investigation?

19 A. No, I did not.

20 Q. Do you know who I'm referring to when I ask
21 about Renee or Shanee Friend?

22 A. Shanee Friend.

23 Q. Shanee Friend, okay. So that's your
24 understanding of her name, Shanee?

25 A. Yes.

1 Q. Okay. So I will refer to her as Shanee
2 Friend. Do you know whether or not Detective Schalk
3 coerced Ms. Friend to sign a false statement during the
4 Sorrell investigation?

5 A. He did not.

6 Q. You know that for a fact?

7 A. Yes.

8 Q. Okay. Is that because you were present with
9 him at all times that he was present with this witness?

10 A. All -- all times that -- I mean, I didn't
11 go -- I mean, every second? No --

12 Q. Okay.

13 A. -- but yes. All -- all pertinent times, yes.

14 Q. So is it your testimony that you were with
15 Mr. Schalk at all the important -- sorry, strike that.
16 Was there any time that Detective Schalk was with
17 Ms. Friend when you weren't present that you know about?

18 A. Not that I recall.

19 Q. Okay. Are you familiar with a witness in this
20 case by the name of Terry Rogers?

21 A. Yes.

22 Q. And did you coerce Mr. Rogers to sign a false
23 statement during the Sorrell investigation?

24 A. No.

25 MR. STEFANICH: Objection. Foundation.

1 You can answer again.

2 A. No.

3 BY MR. STARR:

4 Q. Do you know whether or not Detective Schalk
5 coerced Mr. Rogers to sign a false statement --

6 MR. STEFANICH: Objection. Foundation. You
7 can answer.

8 MR. STARR: I wasn't fully done my question.

9 MR. STEFANICH: Oh, I'm sorry.

10 MR. STARR: It's okay. I believe I paused or
11 something. Let me just re-ask it --

12 MR. STEFANICH: Sure.

13 MR. STARR: -- and then we can get your
14 objection on the record.

15 A. He -- he did not.

16 BY MR. STARR:

17 Q. Okay. I'm just going to ask it again for the
18 sake of the record. Do you know whether or not
19 Detective Schalk ever coerced Mr. Rogers to sign a false
20 confession during the Sorrell investigation?

21 A. He did not.

22 MR. STEFANICH: Objection. Form, foundation.
23 You can answer.

24 A. He did not.

25 BY MR. STARR:

1 Q. And how do you know that, sir?

2 A. How do I know that? Because I -- I've never
3 seen him do anything like that or hear anything like
4 that.

5 Q. Okay. And were you present for all the time
6 that Detective Schalk was with Mr. Rogers during the
7 investigation?

8 A. I can't say for sure.

9 Q. Okay. So you can't say for sure whether or
10 not Detective Schalk coerced Mr. Rogers, correct?

11 A. I can say that, yes.

12 Q. Okay. And, just again, what is your basis for
13 saying that, if you can't tell me whether or not you're
14 with him during all periods that he was with the
15 witness?

16 MR. STEFANICH: Objection. Asked and answered.

17 You can answer again.

18 A. It's safe for me to assume that he had never
19 done that in his entire career that I had been with him.
20 So I would have to say he did not.

21 BY MR. STARR:

22 Q. Okay. Why is it safe for you to assume that
23 Detective Schalk never coerced a witness in his entire
24 career?

25 A. Because he hasn't.

1 Q. I understand. But how do you know that, sir?

2 A. All the times I was with him, he's never done
3 that.

4 Q. Okay. So you're aware of certain times that
5 you've been with Detective Schalk, you've never seen him
6 coerce a witness, correct?

7 A. Correct.

8 Q. But there's other times in Detective Schalk's
9 career where you're not present when he's doing an
10 investigation, correct?

11 A. That's -- that should be correct. Yes.

12 Q. Okay. And you don't know whether or not he
13 coerced witnesses during those periods of time, correct?

14 A. Well, again, I know that he never has. And I
15 can only assume that he has never done that.

16 Q. Do you know whether or not Detective Noradin
17 coerced Mr. Rogers to sign a false statement during the
18 Sorrell investigation?

19 MR. STEFANICH: Objection. Form, foundation.

20 You can answer.

21 A. I -- again, any time I've spent with that
22 particular detective, I've never seen him coerce anyone.

23 BY MR. STARR:

24 Q. Okay, my question was a little bit different.
25 Do you know if, in this specific case, detective Noradin

1 ever coerced the witness, Terry Rogers, to give a false
2 statement?

3 A. I have no knowledge of that.

4 Q. Okay. Did you ever attempt to coerce a
5 witness by the name of Emmett Wade -- actually, strike
6 that. Do you know who the witness Emmett Wade is?

7 A. I -- from reports, I do. Yes.

8 Q. Okay. And then following back up on my last
9 question, did you ever attempt to coerce a witness by
10 the name of Emmett Wade to falsely implicate
11 Mr. Fletcher during the Sorrell investigation?

12 A. No.

13 Q. Did you use any unlawful tactics to try to get
14 Emmett Wade to identify Mr. Fletcher?

15 MR. STEFANICH: Objection. Form. You can
16 answer.

17 MR. BURNS: Hey, Sean, before you do that.
18 As far as objections, rather than be repetitive,
19 I'm not going to repeat objections. If he makes an
20 objection, can we assume they apply to all of us?
21 Or do you want them individually?

22 MR. STARR: If you want to have a standing join
23 of any of his objections, I'm fine with that.

24 MR. BURNS: That's fine. I may add from time
25 to time, but rather than delay it, I thought we'd

1 just say that right now.

2 MR. STARR: That's fine.

3 MR. STEFANICH: Okay.

4 MR. BURNS: Very good.

5 MR. STARR: Could I get the question read back?

6 THE REPORTER: Yes, absolutely.

7 Mr. Swaminathan has dropped out of the zoom.

8 MR. STARR: Okay.

9 (REPORTER PLAYS BACK REQUESTED QUESTION)

10 BY MR. STARR:

11 Q. You can answer.

12 A. No.

13 Q. Do you know whether or not Detective Schalk
14 ever attempted to coerce Mr. Wade to falsely implicate
15 Mr. Fletcher during the Sorrell investigation?

16 A. I have no knowledge of that.

17 Q. Do you know whether or not Detective Schalk
18 ever used any unlawful tactics to try to get Mr. Wade to
19 identify Mr. Fletcher?

20 MR. STEFANICH: Objection. Form. You can
21 answer.

22 A. I have no knowledge of that.

23 BY MR. STARR:

24 Q. Do you know whether or not Detective Noradin
25 ever attempted to get the witness, Emmett Wade, to

1 falsely implicate Mr. Fletcher during the Sorrell
2 investigation?

3 A. I have no knowledge of that.

4 Q. Do you know whether or not Detective Noradin
5 used any unlawful tactics to try to get Mr. Wade to
6 implicate Mr. Fletcher?

7 MR. STEFANICH: Objection. Form. You can
8 answer.

9 A. I have no knowledge of that.

10 BY MR. STARR:

11 Q. Did you deliberately conceal the fact that
12 Emmett Wade refused to identify James Fletcher?

13 A. That he refused?

14 MR. STEFANICH: I'm going to object. Form.
15 You can answer.

16 A. I have -- I have no memory of him refusing.
17 Or it's not in reports either, I don't believe.

18 BY MR. STARR:

19 Q. Okay. So you don't recall whether or not he
20 refused to identify Mr. Fletcher or not, correct?

21 A. According to my reports, it doesn't say that.

22 Q. We'll look at your reports in due course.
23 I'm asking about your recollection. Do you recall
24 whether or not Mr. Wade refused to implicate or identify
25 Mr. Fletcher?

A. I don't know that.

Q. You don't know that, or you don't recall that?

A. I don't know that.

Q. Okay. So you don't -- strike that. So you do not recall whether or not Mr. Wade refused to identify Mr. Fletcher, correct?

A. I only recall what's in my report.

Q. Okay. And that's not in your report, then?

A. I don't believe so --

Q. Okay. So it's fair to say that you do not recall Mr. Wade refusing to identify Mr. Fletcher, correct?

MR. STEFANICH: Objection. Form. You can answer.

A. I -- I can only testify to what's in my report as far as Wade.

BY MR. STARR:

Q. Well, I mean, I'm going to ask you questions that are outside the bounds of your report, sir. And if you want this deposition to move quickly, I'm expecting you to answer the questions to the best of your ability. So --

MR. STEFANICH: He is.

A. And --

MR. STEFANICH: He is doing that.

MR. STARR: Okay.

A. I am.

BY MR. STARR:

Q. But he just said he can only answer questions that are in his report. I'm asking if you recall something. If you don't recall it, you can tell me that. So --

A. I don't have independent recollection of that particular thing you're asking me.

Q. Okay. So let me ask it again so it's clean. That's the question I am asking. Do you independently recall Mr. Wade refusing to implicate or identify Mr. Fletcher during the investigation of the Willie Sorrell shooting?

MR. STEFANICH: Objection. Form. You can answer.

A. I don't recall him ever saying that. I don't -- independently, I don't recall what he said.

BY MR. STARR:

Q. Okay. Do you know whether or not Detective Schalk deliberately concealed the fact that Mr. Wade refused to implicate or identify Mr. Fletcher?

A. I have no knowledge of --

MR. STEFANICH: Objection. Form.

A. -- no knowledge of that.

1 BY MR. STARR:

2 Q. Do you know whether or not Detective Noradin
3 deliberately concealed the fact that Mr. Wade refused to
4 identify Mr. Fletcher?

5 MR. STEFANICH: Objection. Form. You can
6 answer.

7 A. I have no knowledge of that.

8 Q. Do you know the witness -- strike that.
9 Do you know who the witness Edward Cooper is?

10 A. Yes.

11 BY MR. STARR:

12 Q. Okay. Did you use any unlawful tactics to try
13 to get Mr. Cooper to identify Mr. Fletcher?

14 MR. STEFANICH: Objection. Form. You can
15 answer.

16 A. No.

17 BY MR. STARR:

18 Q. Did you ever attempt to coerce Mr. Cooper to
19 identify Mr. Fletcher?

20 A. No.

21 Q. Do you know whether or not Detective Schalk
22 ever attempted to coerce Mr. Cooper to falsely implicate
23 Mr. Fletcher in the Sorrell shooting investigation?

24 A. I have no knowledge of that.

25 Q. Do you know whether or not Detective Noradin

1 ever attempted to coerce Mr. Cooper to falsely implicate
2 Mr. Fletcher during the Sorrell investigation?

3 A. I have no knowledge of that.

4 Q. Okay. Sir, did you suppress any exculpatory
5 evidence that could have exonerated Mr. Fletcher during
6 the Sorrell investigation?

7 MR. STEFANICH: Objection. Form.

8 You can answer.

9 A. No.

10 BY MR. STARR:

11 Q. And when I say, "Exculpatory evidence," are
12 you familiar with that term?

13 A. Yes.

14 Q. And what is your understanding of that term,
15 sir?

16 A. Evidence that would help Mr. Fletcher.

17 Q. Okay. Evidence that would potentially help
18 prove his innocence, correct?

19 A. I guess possibly.

20 Q. Okay. Evidence that could potentially impeach
21 state witnesses as well, is exculpatory, right?

22 A. I don't -- I don't know --

23 Q. Okay.

24 A. -- I don't know what you -- what you're
25 getting at there.

1 Q. So I just want to make sure we're clear,
2 and I -- you understand my questions. When I use the
3 term, "Exculpatory evidence," I'm referring to evidence
4 that would tend to exonerate Mr. Fletcher of the crime
5 or prove his innocence as one category, okay?

6 A. I guess it's possible, yes.

7 Q. Right. I'm just trying to define the term for
8 you so we can be on the same page.

9 MR. STEFANICH: He's just giving you the
10 definition of exculpatory evidence that he's using
11 in these questions.

12 THE WITNESS: Okay.

13 BY MR. STARR:

14 Q. So that we're on the same page, okay?

15 A. Yes.

16 Q. Okay. So when I say "exculpatory evidence,"
17 I mean one of two things. Either evidence that would
18 tend to exonerate Mr. Fletcher or prove his innocence,
19 or evidence that would impeach the testimony of the
20 prosecution's witnesses, okay?

21 A. Yes.

22 Q. That make sense to you?

23 A. Yes.

24 Q. Okay. So when I asked you if you suppressed
25 any exculpatory evidence, given that definition, is your

1 answer still no?

2 A. It is --

3 Q. Okay.

4 A. -- still no.

5 Q. Okay. Do you know whether or not Detective
6 Schalk ever suppressed any exculpatory evidence that
7 could have exonerated Mr. Fletcher?

8 A. No.

9 Q. Okay. Do you know whether Detective Schalk
10 ever suppressed any exculpatory evidence in the Sorrell
11 investigation whatsoever?

12 A. He has not, that -- to my knowledge.

13 Q. Do you know whether or not Detective Noradin
14 ever suppressed any exculpatory evidence during the
15 Sorrell investigation?

16 A. To my knowledge, no.

17 Q. Okay. Do you know who a Chicago police
18 officer by the name of Anthony or Tony Wojcik is?

19 A. Yes.

20 Q. Okay. Did Mr. Wojcik work on the Sorrell
21 investigation with you?

22 A. No.

23 Q. No, okay. Do you know whether or not
24 Mr. Wojcik coerced any of the witnesses in the Sorrell
25 investigation?

1 A. Yeah, he --

2 MR. STEFANICH: Objection. Form. Foundation.

3 You can answer.

4 A. He -- he had nothing to do with this case.

5 BY MR. STARR:

6 Q. Okay, do you know whether or not Mr. Wojcik
7 ever suppressed any exculpatory evidence during this
8 Sorrell investigation?

9 A. I have no knowledge of that.

10 Q. Okay. And just, again, for clarity's sake,
11 maybe I misheard you. But when I asked you whether or
12 not Mr. Wojcik ever coerced any of the witnesses in this
13 case, you said he had nothing to do with this case.
14 Is your answer that Mr. Wojcik never coerced any
15 witnesses in this case, according to your recollection?

16 A. Yes.

17 Q. Okay. Do you know if any Chicago police
18 personnel suppressed any exculpatory evidence during the
19 Sorrell investigation?

20 A. No.

21 Q. Did you personally fabricate any evidence
22 during the Sorrell investigation?

23 A. No.

24 Q. Do you know whether or not Detective Schalk
25 fabricated any evidence during the Sorrell

1 investigation?

2 A. I have no knowledge of that.

3 Q. Do you know whether Detective Noradin
4 fabricated any evidence during the Sorrell
5 investigation?

6 A. I have no knowledge of that.

7 Q. And do you know whether or not Tony Wojcik
8 fabricated any evidence during the Sorrell
9 investigation?

10 A. I could say no on that. Just no.

11 Q. And do you know if any other Chicago police
12 personnels fabricated any evidence whatsoever during the
13 Sorrell investigation?

14 A. I have no knowledge of any of that.

15 Q. Okay. Sir, do you know whether or not James
16 Fletcher is guilty or innocent of the Sorrell murder?

17 A. I was -- did not witness the crime.
18 So I -- I wouldn't know for sure.

19 Q. Okay. Do you know of any evidence at all, as
20 you sit here today, showing that Mr. Fletcher is guilty
21 of that crime?

22 A. Yes.

23 Q. And tell me all the evidence that you're aware
24 of, as you sit here today, that Mr. Fletcher is guilty
25 of the shooting death of Mr. Sorrell.

1 A. We have a witness that actually knew him,
2 that -- and identified him as one of the offenders.
3 And you have two other witnesses that positively
4 identified him in a physical lineup.

5 **Q. Any other evidence that you're aware of,**
6 **besides those two pieces of evidence that you just**
7 **testified to, that implicate Mr. Fletcher in the murder**
8 **of Mr. Sorrell?**

9 MR. STEFANICH: Objection. Form. You can
10 answer.

11 A. Those are the main things. I guess you could
12 add in photo -- photo align -- photo lineups.

13 BY MR. STARR:

14 **Q. Okay. So any other evidence besides the three**
15 **things you testified to? Which were, there was a**
16 **witness that actually knew Mr. Fletcher who identified**
17 **him. There was two other witnesses who identified him,**
18 **I believe you said in lineups. And then the third thing**
19 **being witnesses that identified him in photo lineups?**

20 A. I'm sorry, I'll turn this off.

21 **Q. No worries.**

22 A. I forgot.

23 **Q. No worries, I'll ask it again.**

24 A. During -- during the parking brigade,
25 I forgot. The only other thing I could add is that, one

1 of the witnesses, I wouldn't doubt -- I would not doubt
2 their identification because Shanee Friend said she had
3 seen him in the neighborhood several times.

4 Q. Okay.

5 A. So, that would add to my reasoning of his
6 guilt.

7 Q. Okay. So other than those four things that
8 you identified, one being a witness that actually knew
9 Mr. Fletcher, who identified him. Two, being two
10 additional witnesses who identified him in a lineup.
11 Three, being a witness who identified him in a photo
12 array. And four, being the fact that Ms. Friend knew
13 Mr. Fletcher or saw him around, and identified him.
14 Any other evidence that you are aware of that implicates
15 Mr. Fletcher in the murder of Mr. Sorrell?

16 A. Not that I can think of right now.

17 Q. Okay. So let's unpack that evidence that you
18 just testified to a little bit. The first thing you
19 told me is that there is a witness that actually knew
20 Mr. Fletcher and identified him. What witness was that,
21 sir?

22 A. Terry Rogers.

23 Q. Okay. And what evidence do you have that
24 Mr. Rogers knew Mr. Fletcher?

25 A. His -- his own statement.

1 Q. What other evidence do you have that
2 Mr. Rogers knew Mr. Fletcher, other than Mr. Roger's own
3 statement?

4 A. That's all I have.

5 Q. Did you do anything to corroborate Mr. Roger's
6 statement, that him and Mr. Fletcher were familiar with
7 one another?

8 A. I didn't, but I -- I've learned that there was
9 corroboration.

10 Q. What corroboration did you learn about, that
11 in indicates that Mr. Fletcher and Mr. Rogers knew each
12 other?

13 A. That at some time, that they were in prison
14 together.

15 Q. Okay. When did you learn that, sir?

16 MR. STEFANICH: I'm going to object based on
17 attorney-client privilege, and instruct you that to
18 answer.

19 BY MR. STARR:

20 Q. And that's fair. And just to make this clear,
21 I'm not asking about anything that you learned from your
22 attorney at any point in time. And you know, he'll let
23 you know if there's an issue as that arises. I'm not
24 asking you to testify to conversations you had with your
25 attorney. So other than conversations you've had with

1 your attorney, at what point in time did you learn that
2 Mr. Rogers and Mr. Fletcher spent time in prison
3 together?

4 A. You know, I can't remember independently if we
5 actually corroborated that. I -- it's -- I -- I don't
6 see it in the report. So I'm not sure.

7 Q. Okay. I asked you when. So the other further
8 question is, other than conversations you had with your
9 attorney, how did you learn that Mr. Fletcher and
10 Mr. Rogers spent time in prison together?

11 A. Just by his statement.

12 Q. By Mr. Rogers statement?

13 A. Yes.

14 Q. Okay. So is it correct to say that, other
15 than conversations you may or may not have had with your
16 attorney, the only evidence that you ever had, that
17 Mr. Rogers and Mr. Fletcher knew each other or were
18 familiar with each other, was that Mr. Rogers said in
19 his statement that they were?

20 A. Correct.

21 Q. Okay. Then the second thing you told me was
22 that two other witnesses had identified Mr. Fletcher as
23 the shooter, correct?

24 A. Yes.

25 Q. And what are the -- strike that. Who were

1 those two witnesses that identified Mr. Fletcher as the
2 shooter?

3 A. Shanee Friend and Mr. Cooper --

4 Q. Okay.

5 A. -- forget his first name.

6 Q. Edward Cooper.

7 A. Edward Cooper, yes.

8 Q. Okay. Okay, so let's start with Ms. Friend.

9 When did Ms. Friend first identify Mr. Fletcher as being
10 the shooter of Mr. Sorrell?

11 A. I believe it was in March 2002 with a photo
12 array.

13 Q. Okay. Do you believe, but you're not sure?
14 I just want to make sure. So the first time that
15 Ms. Friend identified Mr. Fletcher as the shooter in
16 the Sorrell shooting was in March of 2002 during a photo
17 array, correct?

18 A. Yes.

19 Q. Okay. And that was one of the three photo
20 arrays you conducted in 2002?

21 A. Yes.

22 Q. Okay. And then did Ms. Friend ever identify
23 Mr. Fletcher at any other point after that initial photo
24 array in March of 2002?

25 A. Yes.

1 Q. And when did that occur, sir?

2 A. It would be in April of 2002.

3 Q. And what was the circumstances in which Ms.
4 Fran identified Mr. Fletcher in April of 2002?

5 A. During a physical lineup.

6 Q. Okay. And was that the one physical lineup
7 that you were present for, that you testified to
8 earlier?

9 A. It was a physical lineup with two -- with two
10 witnesses.

11 Q. Okay. Well, I'll ask you what that means in a
12 second, but you didn't answer my question. And I'm not
13 trying to offend you. Was the physical lineup where
14 Ms. Friend identified Mr. Fletcher, the one physical
15 lineup that you previously testified that you were
16 present for?

17 A. For Ms. Friend, yes.

18 Q. Okay. Now, you just said that the physical
19 lineup involved two witnesses. What do you mean by
20 that, sir?

21 A. Well, Shanee Friend viewed the lineup, and
22 Edward Cooper viewed the lineup.

23 Q. And they viewed the lineup simultaneously;
24 is that correct?

25 A. No. One at -- independently.

1 Q. Okay. Which witness viewed the lineup first?

2 A. I'm not sure.

3 Q. Okay. And then other than the March 2002
4 photo array and the April 2002 physical lineup, did
5 Ms. Friend, to your knowledge, ever identify
6 Mr. Fletcher at any other point in time in the Sorrell
7 shooting investigation?

8 A. Not to my knowledge.

9 Q. Okay. And then you said Mr. Cooper was the
10 other witness who identified Mr. Fletcher as the shooter
11 in the Sorrell investigation, correct?

12 A. That is correct.

13 Q. And when did Mr. Cooper first identify
14 Mr. Fletcher as the shooter in the so investigation?

15 A. Well, there was a photo array shown to him.
16 It would be, actually, the second time shown to him,
17 a different photo array, two separate photo arrays.
18 The second one -- the second one contained a -- a photo
19 of Mr. Fletcher. And out of the seven photos, he picked
20 Mr. Fletcher as looking like the one of the offenders,
21 but he couldn't be sure.

22 Q. Okay. So I believe you just testified that
23 you showed Mr. Cooper two separate photo arrays,
24 correct?

25 A. One in '95.

1 Q. Okay. So that previous testimony about the
2 first photo array being the one that you conducted in
3 '95, that was a photo array you conducted with
4 Mr. Cooper?

5 A. Yes.

6 Q. All right. We'll talk about that later.
7 The 2002 one is the one in which Mr. Cooper actually
8 made an identification; is that your testimony?

9 A. He made a tentative identification.

10 Q. Okay. And what's the difference in your
11 understanding of a tentative identification and an
12 actual identification?

13 A. He's not sure.

14 Q. Okay. What did Mr. Cooper tell you when he
15 tentatively identified Mr. Fletcher in 2002 and during
16 the photo array that you showed him?

17 A. I -- I couldn't tell you his exact words, but
18 he said he -- he -- it looked like the offender, but he
19 wasn't sure.

20 Q. Okay. Do you remember him saying it looked
21 like him?

22 A. Yes.

23 Q. All right. And you said that during that
24 2002 photo array, you showed him seven photographs; is
25 that correct?

1 A. Yes.

2 Q. And one of those photographs was of
3 Mr. Fletcher; is that correct?

4 A. Yes.

5 Q. Okay. Other than that 2002 photo array in
6 which Mr. Cooper allegedly made a tentative
7 identification of Mr. Fletcher, do you know if
8 Mr. Cooper ever identified Mr. Fletcher any other point
9 in time?

10 A. Yes.

11 Q. And when was that, sir?

12 A. And that was the same physical lineup
13 that -- that the same participants that were shown to
14 Shanee Friend.

15 Q. So that was in April of 2002, correct?

16 A. Yes.

17 Q. Okay. So during a, the April of 2002 physical
18 lineup, it's your testimony that Mr. Cooper positively
19 identified Mr. Fletcher?

20 A. He did.

21 Q. And was this positive identification different
22 than the tentative identification?

23 A. Yes.

24 Q. Okay. So therefore, this positive
25 identification was an affirmative identification with

1 Mr. Cooper said, "That is the person I saw shoot
2 Mr. Sorrell"?

3 A. He said it was one of the offenders, yes.

4 Q. Okay. Because there was two offenders in the
5 Sorrell shooting?

6 A. Yes.

7 Q. Okay. All right. Speaking of that, what
8 investigation -- strike that. What did your
9 investigation reveal about the other suspect in the
10 Sorrell shooting investigation?

11 A. Nothing.

12 Q. Okay. Nothing at all?

13 A. Not to my knowledge, no.

14 Q. You never learned any information about who
15 the other shooter -- or the other participant in the
16 shooting might have been?

17 A. Did not.

18 Q. Okay. Did you ever ask Mr. Fletcher if he
19 knew who the other suspect was?

20 A. Mr. Fletcher denied any knowledge of the
21 incident.

22 Q. I understand that. My question is though,
23 did you ever ask Mr. Fletcher who the other suspect was?

24 A. No.

25 Q. Did you ever ask Mr. Rogers if he knew who the

1 other suspect was?

2 A. Yes.

3 Q. What did he say?

4 A. No.

5 Q. Did you ever ask Mr. Cooper if he knew who the
6 other suspect was?

7 A. Mr. Cooper never said he knew either of the
8 suspects.

9 Q. Okay. Did you ever ask Mr. Cooper if he could
10 identify the other suspect?

11 MR. STEFANICH: I'm sorry, I didn't hear you.

12 BY MR. STARR:

13 Q. Did you ever ask Mr. Cooper if he could
14 identify the other suspect?

15 A. I believe I did.

16 Q. And what did Mr. Cooper tell you?

17 A. He wasn't sure.

18 Q. Okay. What about Ms. Friend? Did you ever
19 ask Ms. Friend who the other suspect was?

20 A. I asked her if she -- yeah, right from the
21 beginning. Of course, those were all normal questions.

22 Q. And what did she tell you?

23 A. She didn't know who it was.

24 Q. Okay. What about Mr. Wade? Did you ever ask
25 Mr. Wade if you knew who the second suspect was?

1 A. Mr. Wade told us that he couldn't identify any
2 faces.

3 Q. Mr. Wade told you that he couldn't identify
4 either of the two suspects; is that correct?

5 A. Yes.

6 Q. Okay. All right. So that's the second piece
7 of evidence you gave me that you said implicated Mr.
8 Fletcher in the murder of Mr. Sorrell. The third had to
9 do with a photo lineup. What is the photo lineup? I'm
10 sorry, strike that question. I think I just wrote down
11 the wrong thing. Let me ask it again. You told me four
12 pieces of evidence, right? First one being the witness
13 who actually knew him, identified him. We talked about
14 that. The second one being the two people who
15 identified him. We talked about that. And then you
16 told me the third one was a photo array, correct?

17 MR. STEFANICH: I'm going to object to form. I
18 think you're misstating what he previously testified
19 to, but you can answer.

20 A. Well, there was -- there were two -- two photo
21 arrays. One of the photo arrays was positive, and the
22 other was tentative. So yes.

23 BY MR. STARR:

24 Q. Okay. So the third piece of evidence was a, I
25 wrote down the words, "Photo lineup." Is that not what

1 your testimony was?

2 A. Yes.

3 Q. Okay. So what photo lineup were you referring
4 to, as a third piece of evidence that you know
5 implicates Mr. Fletcher?

6 A. It would be the positive photo array that
7 Shanee Friend looked at.

8 Q. Okay. And when did that take place, sir?

9 MR. STEFANICH: Objection, asked and answered.

10 A. I believe -- let's see, I believe that was in
11 March.

12 BY MR. STARR:

13 Q. Okay. March 2002?

14 A. Of '02.

15 Q. That's the one you already testified to,
16 correct?

17 A. Yeah, I believe so --

18 Q. Okay. And then the last thing was that you
19 said one of the witnesses you wouldn't doubt because she
20 knew him from around. You were referring to Ms. Friend,
21 correct?

22 A. Correct.

23 Q. When did Ms. Friend tell you that she knew
24 Mr. Fletcher from around? And strike that. Where did
25 Ms. Fletcher tell you -- strike that. Where did

1 Ms. Friend tell you that she knew Mr. Fletcher from
2 around?

3 A. She had seen him around in the -- not that she
4 knew him. I think that's a bad word.

5 Q. All right.

6 A. That she had seen him around the area of the
7 shooting previously, several times.

8 Q. And at what point in the investigation did
9 Ms. Friend tell you that she had seen Mr. Fletcher
10 around the area of the shooting?

11 A. In March of '02.

12 Q. And where did you document the fact that
13 Ms. Friend had told you that she had seen Mr. Fletcher
14 around the area of the shooting?

15 A. I think in -- in our final supp.

16 Q. Did you document it anywhere else that you can
17 remember?

18 A. At this point, no, I can't remember.
19 Actually -- actually, I think the state's attorney
20 documented that in a handwritten statement in March.

21 Q. Okay. But I asked you about -- you were
22 document documenting it. Do you, do you recall
23 documenting anywhere else besides your final supp?

24 A. Not that I can recall.

25 Q. Okay. Other than the -- strike that. Other

1 than the evidence that you testified to thus far, at the
2 time Mr. Fletcher was arrested, did you have any other
3 information that Mr. Fletcher was implicated into the
4 crime of shooting Mr. Sorrell?

5 A. Just his background fit.

6 Q. What do you mean by his background fit, sir?

7 A. Well, he was in prison for robbery, and
8 obviously this was a robbery.

9 Q. Okay. What do you recall about Mr. Fletcher's
10 previous arrest and time in prison for a robbery?

11 A. I -- I don't know anything about them.

12 Q. Okay. Were you aware that Mr. Fletcher had
13 been arrested and spent time in prison for a robbery
14 when you arrested Mr. Fletcher?

15 A. I believe that's what he was in for.

16 Q. Anything else about his background fit, as you
17 call it?

18 A. I think he had drugs and gun arrests.

19 Q. Okay. What is it about a drug arrest that you
20 thinks provides you with evidence that Mr. Fletcher
21 would be implicated in the Sorrell shooting?

22 A. Nothing in particular.

23 Q. Okay. What is it about a previous gun arrest
24 that made you think that Mr. Fletcher would be
25 implicated in the Sorrell shooting?

1 A. Because the offenders in this case had guns.

2 Q. Okay. And then what is it about
3 Mr. Fletcher's previous robbery arrest that you think
4 would implicate him in the Sorrell investigation?

5 A. It's not that he would implicate them.
6 It's just that he's a -- a good -- it -- it fits that
7 he's -- that this murder was connected with a robbery.

8 Q. Okay. And did you know that information about
9 Mr. Fletcher's background before you arrested him, sir?

10 A. Yes.

11 Q. How did you become aware of that information
12 about Mr. Fletcher's background prior to arresting him?

13 A. We were able to make computer checks.

14 Q. Okay. Did you know that information about
15 Mr. Fletcher's background before you ever spoke to
16 Mr. Fletcher?

17 A. Yes.

18 Q. And was it via computer checks as you referred
19 to it how you learned that?

20 A. Yes.

21 Q. At any point in time, did you learn any
22 additional information that gave you reason to suspect
23 Mr. Fletcher in the shooting of Mr. Sorrell?

24 A. No, it's basically just witnesses.

25 Q. And those are the witnesses you've testified

1 to today?

2 A. Yes.

3 Q. So no additional information beyond what
4 you've already testified to; is that correct? Let me
5 rephrase that. You did not learn any additional
6 information that implicates Mr. Fletcher in the shooting
7 of Mr. Sorrell, other than what you've already testified
8 to today, correct?

9 A. Yes.

10 Q. Okay. Yes, that's correct?

11 A. That is correct.

12 Q. Okay. Thank you. What was the probable cause
13 that you had to arrest Mr. Fletcher?

14 MR. STEFANICH: Objection. Form. You can
15 answer.

16 A. Identification from witnesses.

17 BY MR. STARR:

18 Q. Okay. From which witnesses in particular?

19 A. The three we talked about.

20 Q. Okay, so the photo array that Ms. Friend
21 identified Mr. Fletcher, and then the lineup in which
22 Ms. Friend did and Mr. Cooper identified Mr. Fletcher?

23 A. Yes, and the statement by Terry Rogers.

24 Q. Okay. And what was the statement by Terry
25 Rogers that gave you probable cause to arrest

1 **Mr. Fletcher?**

2 MR. STEFANICH: Objection. Form. You can
3 answer.

4 A. That Terry Rogers was -- was one of the
5 offenders.

6 BY MR. STARR:

7 Q. Okay. So I'm going to re-ask that because I
8 don't think you answered that correctly. You just said
9 Mr. Rogers was one of the offenders?

10 A. Oh, I'm sorry. Mr. Fletcher was one of the
11 offenders.

12 Q. Yeah. We just want to get a clear record.
13 Okay. So Mr. Rogers told you that Mr. Fletcher was one
14 of the offenders?

15 A. Yes.

16 Q. Okay. At what point did Mr. Rogers tell you
17 that Mr. Fletcher was one of the offenders?

18 A. In '02.

19 Q. Okay.

20 A. I -- I can revise that a little bit.

21 Q. Go ahead.

22 A. Originally, according to the reports,
23 he offered the name of Fletcher in 1990.

24 Q. Okay. Were you working on this case in 1990?

25 A. No.

1 Q. Okay. So we'll get to that. Sir, am I
2 correct to assume that you've been deposed before in
3 your career?

4 A. I have.

5 Q. Okay. So you're probably generally familiar
6 with deposition rules and how these are conducted, but
7 I'm just going to go through a couple things to make
8 sure we're on the same page. You understand that you're
9 under oath, correct?

10 A. Yes.

11 Q. And you understand that telling a lie under
12 oath is a crime?

13 A. Yes.

14 Q. Okay. You understand that there's a court
15 reporter who's taking down everything we say so that
16 it's important that we don't talk over one another,
17 right?

18 A. Sure.

19 Q. Okay. It's important to give verbal answers
20 in a deposition so that those get translated to the
21 written page, okay?

22 A. Okay.

23 Q. And this is, you know, a more informal setting
24 than a courtroom. There's not a judge here to rule on
25 objections, but you understand that you're going to get

1 asked questions, and quite possibly attorneys going to
2 object to the questions. That's a normal part of a
3 deposition, right?

4 A. Yes.

5 Q. Okay. So it's important that after I ask a
6 question, you let your attorney or the other attorney
7 object on the record, and then we can make a clear
8 record before you give your answer, okay?

9 A. Okay.

10 Q. If I ask you a question and you don't
11 understand it, please tell me and I will rephrase it,
12 okay?

13 A. Okay.

14 Q. And if I ask something and you give an answer
15 to it, I'm going to assume that you understood what I
16 asked you in the first place; is that fair?

17 A. I guess so --

18 Q. Okay. This is a federal deposition, so we can
19 go up to seven hours. I don't know exactly how long
20 it's going to take. At some point in time if you need a
21 break, please ask. We can take a break at any time.

22 A. Okay.

23 MR. STEFANICH: I'm going to take a break when
24 you're done with your rules.

25 MR. STARR: Sure. I'm almost done.

1 BY MR. STARR:

2 Q. The only thing I ask is, if I ask you a
3 question and it's pending, that you take a break after
4 you answer that question; is that fair?

5 A. Say that again, I'm sorry.

6 Q. Sure thing. So if I ask you a question, I
7 want you to answer it before you take a break,
8 so if there's a pending question, you have to answer it
9 before we take a break.

10 A. Okay.

11 MR. STARR: Okay. We can take a break.

12 MR. STEFANICH: Yeah.

13 THE VIDEOGRAPHER: We are off the record.

14 The time is 11:40 a.m. Central Time.

15 (OFF THE RECORD)

16 THE VIDEOGRAPHER: We are back on the record
17 for the deposition of Jerome Bogucki. My name is
18 Kortney Chase. The date is April 20, 2023, and the
19 time is 11:47 a.m. Central Time.

20 BY MR. STARR:

21 Q. All right, Mr. Bogucki, do you have any
22 conditions that might affect your ability to give
23 truthful and accurate testimony today?

24 A. Other than my age.

25 Q. How old are you, sir?

1 A. I'm 71.

2 Q. Okay. Are you taking any medications that
3 might affect your ability to give truthful and accurate
4 testimony?

5 A. No.

6 Q. Is there anything else that might affect your
7 ability to give truthful and accurate test testimony
8 today?

9 A. No.

10 Q. All right, fair. You said you'd been deposed
11 before. How many times?

12 A. Two or three.

13 Q. What are all the times that you've been
14 deposed, situations that occurred as a result of your
15 employment at the Chicago Police Department?

16 A. Yes.

17 Q. All right. And in the previous depositions
18 that you've given, were you a party or a witness?

19 A. I actually have been both.

20 Q. Okay. So how many times have you been deposed
21 as a witness in a case?

22 A. Just one I can remember, but there might be
23 more.

24 Q. All right. Do you remember the name of that
25 case there?

A. No.

Q. Do you remember when that happened?

A. I think last year maybe.

Q. All right. Do you remember what type of case it was?

A. I believe it was a murder.

Q. So it was a criminal investigation --

A. Yes.

Q. -- that you were deposed in? Okay.

A. Well, no, it was a civil.

Q. Okay. Was it a civil rights case like this?

A. Yeah. Yes. I'm sorry.

Q. And then how many cases have you been deposed as a party?

A. This is the third.

Q. All right. What was the first one you were deposed as a party?

A. It was a matter of a -- a police shooting investigation.

Q. And when was that, sir?

A. Oh, I'm not sure of the year anymore. It was after I retired, though.

Q. When did you retire?

A. 2006.

Q. Okay, so was it --

1 A. It might have been 2007.

2 Q. Okay, so it was closer to your retirement date
3 than it was to today's date?

4 A. Yes.

5 Q. All right. And do you remember the name of
6 that case?

7 A. Warfield maybe, and et al.

8 Q. And you were a defendant?

9 A. Yes.

10 Q. Okay. What was the outcome of that case,
11 if you know?

12 A. Judgment against -- against me.

13 Q. Okay. Against you and other defendants or
14 just you?

15 A. And another.

16 Q. Okay. And who was the other defendant?

17 A. Raymond Schalk.

18 Q. Okay. That's the same Detective Schalk we
19 were talking about earlier?

20 A. Yes.

21 Q. All right. What were you found guilty of?

22 MR. STEFANICH: Object to the form.

23 BY MR. STARR:

24 Q. Let me rephrase it.

25 A. I'm not -- I'm not really sure, to be honest

1 with you.

2 Q. Okay. Let me just rephrase it so it's a clear
3 question. What was the judgment for, sir?

4 A. The -- the monetary figure?

5 Q. That, yes.

6 A. Against me, originally, it was \$65,000
7 punitive.

8 Q. Okay. And what were you accused of doing in
9 that case, sir?

10 A. I guess violating rights.

11 Q. Okay. Were you accused of shooting somebody?

12 A. Shooting someone?

13 Q. I thought you said it was a police shooting?

14 A. It was a police shooting investigation.

15 Q. An investigation of a shooting by Chicago
16 Police?

17 A. Yes.

18 Q. Okay. So the police didn't shoot anyone in
19 that case?

20 A. They -- actually, someone did get hit, yes.

21 Q. Okay. So just for clarity's sake, was the
22 civil rights case about the police involved shooting, or
23 was it about something else?

24 A. About the handling of the witnesses.

25 Q. Okay. And what were you accused of,

1 specifically, in that case, sir?

2 A. Holding witnesses.

3 Q. Were you accused of coercing witnesses?

4 A. No.

5 Q. Were you accused of fabricating any evidence?

6 A. No.

7 Q. Were you accused of suppressing any
8 exculpatory evidence?

9 A. No.

10 Q. Okay. All right. And then the second case
11 you were deposed in, which case is that, sir?

12 A. Thaddeus Jimenez.

13 Q. Okay. And you were a defendant in the Jimenez
14 case; is that correct?

15 A. Yes.

16 Q. All right. And do you remember what year that
17 was?

18 A. I'm not sure anymore.

19 Q. If I told you 2014, would that sound right?

20 A. Probably.

21 Q. Okay. And what was the resolution in that
22 case, sir?

23 A. Judgment.

24 Q. Okay. A judgment against you?

25 A. No.

Q. Okay. A Judgment against who?

A. City.

Q. Okay. You were a defendant in that case?

A. Yes.

Q. What were you alleged to have done in that case?

A. I'm not even sure.

Q. Were you alleged to have coerced any witnesses in that case?

A. I guess -- I guess so --

Q. You guess so, or you know so --

A. Well, I don't know what the alleged -- I can't say if I didn't do it.

Q. But you understand the allegations against you were that you coerced the witness or witnesses in that case; is that correct?

MR. STEFANICH: Objection. I think he said he didn't know. But you can answer.

A. I don't know if that was part of it or not.

BY MR. STARR:

Q. Okay. Were you accused of fabricating any evidence in the Jimenez case?

A. No.

Q. Were you accused of suppressing any exculpatory evidence in the Jimenez case?

A. No.

Q. Okay. Any other cases that you were deposed in besides the three that you just told me about?

A. Again, a -- as a witness, there may have been something else in the past, but I'm -- I can't -- I can't recall.

Q. No other cases where you're deposed as a party though; is that correct?

A. Right.

Q. All right. So this is your third case in which you've been deposed as a party member?

A. Yes.

Q. Okay. Do you know how many -- strike that. Was during your tenure as a Chicago police officer, were there any disciplinary complaints levied against you?

A. Any ever?

Q. Yeah.

A. I think so --

Q. Do you know how many?

A. No.

Q. Did you have any CRs during your time as a Chicago police officer?

A. A couple.

Q. Do you have an idea of how many?

A. Just a couple, I think.

1 Q. Okay. Do you recall the factual allegations
2 of any of the disciplinary complaints that were filed
3 against you?

4 A. No.

5 Q. Do you recall the resolution of any of the
6 disciplinary complaints that were filed against you?

7 A. None were sustained.

8 Q. Okay.

9 A. Nothing was just ever sustained on me.

10 Q. Do you recall a disciplinary complaint filed
11 against you by a person by the name of Terry Corky?

12 A. No.

13 Q. Okay. If I told you that case was -- it was
14 alleged that you coerced a false confession, would that
15 refresh your recollection?

16 A. No.

17 Q. All right. Have I told you that Detective
18 Noradin was also accused on that particular disciplinary
19 complaint with that refresh your recollection?

20 A. No.

21 Q. Okay. Do you recall being accused -- strike
22 that. Do you recall having a disciplinary complaint
23 filed against you involving a civilian by the name of
24 Shalonda Davidson?

25 A. No.

1 Q. Okay. If I told you that Detective Schalk,
2 Detective Wojcik, and Detective Noradin were also
3 co-accused on that case, would that refresh your
4 recollection at all?

5 A. No.

6 Q. Okay. Do you recall having a disciplinary
7 complaint filed against you involving two civilians by
8 the name of Maurice and Darnell Person?

9 A. The names sound familiar, but I don't -- I
10 don't know what it would be.

11 Q. Okay. If I told you that the allegations
12 involved an unlawful interrogation, would that refresh
13 your recollection at all?

14 A. No.

15 Q. If I told you the allegations involved
16 physical abuse, would that refresh your recollection at
17 all?

18 A. No.

19 Q. If it told you Detective Schalk was a
20 co-accused officer on that case, would that refresh your
21 recollection?

22 A. No.

23 Q. Do you know if you were ever accused, other
24 than that particular case, the Person disciplinary CR,
25 do you know if you were ever accused in any other

1 circumstance of physical abuse?

2 A. No.

3 Q. Okay. You don't know or you weren't?

4 A. Not that I might have knowledge of.

5 MR. STARR: Okay. I'm going to go off the
6 record for a second.

7 THE VIDEOGRAPHER: We are off the record at
8 11:56.

9 (OFF THE RECORD)

10 THE VIDEOGRAPHER: We are back on the record
11 for the deposition of Jerome Bogucki. My name is
12 Kortney Chase. Today is April 20, 2023, and the
13 time is 11:56 a.m. Central Time.

14 BY MR. STARR:

15 Q. I think you answered this already indirectly,
16 so I apologize for asking again. Did you ever receive
17 any discipline as a result of any complaint filed
18 against you during your tenure as a Chicago police
19 officer?

20 A. I believe I didn't have a city sticker back
21 in -- on my windshield back in, well, probably be 1978
22 or so --

23 Q. Other than that, do you recall any discipline
24 ever being imposed on you, as a result of your job as a
25 Chicago police officer?

A. No.

Q. Do you know if you've ever been accused of falsifying evidence in any case besides this one?

A. No.

Q. Do you know if you've ever been accused of suppressing any evidence in any case besides this one?

A. No.

Q. Have you ever been accused of coercing a false confession in any case besides this one?

A. No.

MR. STEFANICH: Objection.

MR. STARR: Yeah. Thank you.

MR. STEFANICH: Form. Foundation.

BY MR. STARR:

Q. Let me strike that question. Have you ever been accused of coercing a false confession?

A. No.

Q. Have you ever been accused of coercing a false statement in any other case besides this one?

A. You know what? Both of those questions, I have no knowledge at this time. I don't know if anyone's accused me of that, to be honest with you.

Q. All right. And have you ever been accused of any other misconduct besides what we've talked about today?

A. No.

Q. All right, sir, what did you do to prepare for today's deposition?

A. Looked over reports.

Q. Which reports did you look over?

A. Anything that was in the investigative file.

Q. Did you review the investigative file in its entirety?

A. Well, what was given to me, I don't know if it's an entirety or not.

Q. All right. Well, if I represent to you that there's over 200 pages in the investigative file, did you review over 200 pages of an investigative file documents?

A. I don't know.

Q. Okay. So what specific reports can you recall reviewing in preparation the today?

A. Well, what the reports from 1990, and -- and reports from 2002, and -- and the report from 1995.

Q. What type of reports were they, sir? And we could break it down into the three different years that you mentioned if you want.

A. Oh, there's -- there's a lot of different reports. There's -- there's -- there's arrest reports, there's supplementary reports, there's evidence reports,

1 there's typewritten GPR, there's notes on -- on GPRs.

2 Q. And those reports that you just testified, do
3 those are all types of reports you, you reviewed in
4 preparation for today?

5 A. Yes.

6 Q. Okay. When you say notes on GPRs, do you mean
7 there's handwritten GPRs that you reviewed?

8 A. Yes, sir.

9 Q. Okay.

10 A. Just notes.

11 Q. Any other types of reports that you reviewed
12 in preparation for today?

13 A. I -- I think I covered it, but --

14 Q. Okay. If you think of something along the way
15 or if I show you something that you reviewed and didn't
16 already testify to, please let me know, okay?

17 A. I'll let you know. Sure.

18 Q. What else did you do to prepare for today's
19 deposition besides review reports?

20 A. Talked with my attorney.

21 Q. Okay. And again, I'm not asking you for the
22 substance of the conversations you had with your
23 attorney, but you spoke with your attorney in
24 preparation for today?

25 A. Yes.

1 Q. How many occasions did you speak with your
2 attorney?

3 A. Several.

4 Q. Do you know how many?

5 A. I don't know. I could -- I could say three
6 with the attorneys. Four, maybe.

7 Q. When was the first conversation you had with
8 your attorney?

9 A. I -- I don't know. I'm -- I'm -- I don't know
10 what day it was or what time.

11 Q. Was it within the last week?

12 A. The first time?

13 Q. Yes.

14 A. No. It was probably a month or two ago.

15 Q. Okay. So the first time that you spoke with
16 your attorney in preparation for today's dep was a month
17 or two ago, correct?

18 A. I believe.

19 Q. Okay. And did you meet with your attorney in
20 person, or you talk to your attorney on the telephone?

21 MR. STEFANICH: Objection. Form. You can
22 answer.

23 THE WITNESS: I can answer?

24 MR. STEFANICH: You can answer. Yeah.

25 A. Over Zoom and on the telephone.

1 BY MR. STARR:

2 Q. Okay. And was Mr. Stefanich?

3 MR. STEFANICH: Stefanich.

4 BY MR. STARR:

5 Q. Stefanich, my apologies. Was Mr. Stefanich
6 your attorney that you spoke to a month or two ago?

7 A. Also, one of his partners.

8 Q. Okay. Who is that?

9 A. I don't recall her name.

10 Q. Okay. Female?

11 A. Yes.

12 Q. Okay. Was her name Allyson?

13 A. I think it was.

14 Q. Okay. And how long did you speak to Brian and
15 Allyson for a month or two ago?

16 A. Briefly, less than a half an hour.

17 Q. Okay. And you said it was over Zoom and over
18 a telephone call?

19 A. The Zoom -- the Zoom was longer.

20 Q. Okay. So how long was the Zoom?

21 A. Maybe two, three hours.

22 Q. All right. And did they show you any
23 documents over the Zoom?

24 A. Actually, there were two Zooms. One with
25 Allyson and -- and one with Brian.

1 Q. Okay. Two separate meetings or two meetings
2 in the same day?

3 A. Two separate ones.

4 Q. Okay. Who was the first meeting you had with?

5 A. Allyson.

6 Q. Okay. And how long was that?

7 A. I believe that was about an hour.

8 Q. Okay. And did she show you any reports?

9 A. I think she did.

10 Q. Do you recall what reports she showed you?

11 A. No.

12 Q. Did she show you any non-Chicago Police
13 Department documents?

14 A. I don't think so --

15 Q. Did she show you the complaint in this civil
16 lawsuit?

17 A. No.

18 Q. Okay. Have you ever seen the complaint in the
19 civil lawsuit?

20 A. I think I was delivered that.

21 Q. Okay. When you were served, correct?

22 A. Yes.

23 Q. Did you read it?

24 A. Back when I was served, I did.

25 Q. Okay. And that was in 2020; is that correct?

1 A. Yeah, I don't know.

2 Q. All right. The second meeting you had with
3 Brian over Zoom, when was that?

4 A. That was last week, I believe.

5 Q. Okay. And between the meeting you had one or
6 two months ago with Allyson and the meeting you had with
7 Brian last week, did you have any other meetings or
8 conversations with any attorneys in preparation for
9 today's deposition?

10 A. I've talked to Brian once or twice, and I
11 think I talked to Allyson another time.

12 Q. On the telephone?

13 A. I think it was via e-mail.

14 Q. Okay. Did you talk to them on the telephone
15 at all between the first meeting and the second meeting?

16 A. Yes, to set up the second Zoom.

17 Q. Okay. Did you talk to them -- strike that.
18 When you spoke to them between the first meeting and the
19 second meeting, how long did you talk to them for?

20 A. Minutes.

21 Q. Okay. And then the meeting with Brian over
22 Zoom, how long was that?

23 A. About three hours.

24 Q. Okay. And did you say that the meeting with
25 Allyson was two to three hours?

1 A. No, about an hour.

2 Q. An hour, okay. And then the meeting with
3 Brian was about three hours, correct?

4 A. Yes.

5 Q. All right. Other than those two meetings on
6 Zoom, first one being with Allyson one or two months
7 ago, on the second one being a week ago that was three
8 hours, any other meetings that you had with your
9 attorneys in preparation for today's dep?

10 A. There were several short phone calls.

11 Q. Okay. Did you meet today in preparation for
12 the deposition with any attorney?

13 A. Just outside.

14 Q. Okay. Outside this building?

15 A. Yes.

16 Q. Okay. How long did you meet for in
17 preparation for today?

18 A. Long enough to get into the door.

19 Q. Okay. All right. Did you do anything else
20 besides the meetings that you described with your
21 attorneys to prepare for today's deposition and the
22 reports that we reviewed?

23 A. No.

24 Q. Did you speak to anybody else in preparation
25 for today's deposition?

1 A. In preparation? No.

2 Q. Did you ever speak to Detective Schalk while
3 you're preparing for today's deposition?

4 A. I speak to Detective Schalk quite often.

5 Q. Okay. You guys are still in touch after your
6 retirements, correct?

7 A. Yes.

8 Q. Okay. When you say you speak to him quite
9 often, what does that mean?

10 A. He's a good friend.

11 Q. Okay. How many times a week do you speak to
12 Detective Schalk?

13 A. How many?

14 Q. How many times a week on average?

15 A. It may not even be weekly, but it's at least a
16 couple times a month, I would say.

17 Q. Okay. How many times have you talked to
18 Detective Schalk about this deposition?

19 A. Oh, you know, we talked about it. Yeah.

20 Q. What did you guys talk about?

21 A. Tried to recall things about the case.

22 MR. STEFANICH: I'm going to object based on
23 attorney-client, and make sure you understand. You
24 cannot answer questions based on my conversations
25 with you and Detective Schalk at the same time.

1 BY MR. STARR:

2 Q. Yeah. So let me clarify that. That's fair.
3 In the meeting you had with Brian on Zoom, was there
4 anybody else present besides you and Brian?

5 A. Detective Schalk.

6 Q. Okay. Anybody else besides Detective Schalk?

7 A. Not to my knowledge, no.

8 Q. Okay. And then the meeting you had with
9 Allyson, was anybody else present besides you and
10 Allyson?

11 A. Detective Schalk.

12 Q. Okay. And then did you and Detective Schalk
13 meet with your attorneys together any other time besides
14 those two times?

15 A. No.

16 Q. Okay. So putting aside the conversations that
17 you had with Brian or Allyson while Detective Schalk was
18 present, what did you and Detective Schalk talk about in
19 reference to preparing for this deposition?

20 A. Just going through reports a little bit,
21 you know, and understanding what they said.

22 Q. Okay. Did you actually physically meet with
23 them?

24 A. No.

25 Q. Okay. So when you say going through reports,

1 he had a copy of the report, and you had a copy of the
2 report. And you were talking on the telephone, or how
3 was that meeting conducted?

4 A. Yeah, we talk on the telephone.

5 Q. Okay. Which specific reports did you guys
6 talk about?

7 A. I -- just the case in general.

8 Q. Okay. Well, you said you weren't going
9 through reports, right?

10 A. No, we just talked about the -- the case.
11 We didn't go through reports.

12 Q. Okay.

13 A. Just --

14 Q. I thought you said you went through reports
15 when you talked to Detective Schalk in preparation, in
16 depth; is that incorrect?

17 A. No, I talked to -- we talked about information
18 that was on the reports.

19 Q. Okay.

20 A. And -- and -- and tried to remember what was
21 going on at the time.

22 Q. What information did you talk about that was
23 on the reports with Detective Schalk outside your --

24 A. Any and all.

25 Q. -- presence?

1 A. I -- I don't know for sure. I --

2 Q. Okay. Is there anything you recall
3 specifically talking to Detective Schalk about in
4 preparation for today's deposition related to the
5 Sorrell investigation?

6 A. No.

7 Q. Okay. Do you know whether or not you talked
8 to Detective Schalk about any of the photo arrays that
9 were conducted in this case?

10 A. No.

11 Q. Do you know whether you talked to Detective
12 Schalk about any of the lineups that were conducted in
13 this case?

14 A. Again, we talked in general about the case
15 specifics. I don't -- I don't know exactly what was
16 mentioned.

17 Q. Do you recall what Detective Schalk told you
18 that he remembered about this case?

19 A. No. Other than what's on reports, that's what
20 we both looked at, and that's all -- that's all we know.

21 Q. What did you tell Detective Schalk that you
22 remembered about this case?

23 A. I don't know.

24 Q. You don't remember anything you told him?

25 A. No.

1 Q. Okay. Did you talk to Detective Schalk about
2 Detective Noradin's role in this case whatsoever?

3 A. I -- I asked him if he remembered what Noradin
4 did. And he couldn't remember, and I can't remember.

5 Q. Okay. Did you talk to Detective Schalk about
6 Detective Wojcik's involvement in this case?

7 MR. STEFANICH: Objection. Form. You can
8 answer.

9 A. I -- I think I did, because we both agreed
10 that he had nothing to do with the case other than sign
11 it, and all -- all reports have to be signed by a
12 supervisor.

13 BY MR. STARR:

14 Q. Okay. And maybe I spoke earlier. Was
15 Detective Wojcik, was he your sergeant during this case?

16 A. He was a sergeant.

17 Q. Okay. He was a sergeant, so I should refer to
18 him as Sergeant Wojcik?

19 A. Yeah. At that time, anyway.

20 Q. Okay, that's fair. So you and Detective
21 Schalk talked about how you didn't think Sergeant Wojcik
22 was involved in this case; is that correct?

23 A. Correct.

24 Q. Did you talk anything else? Sorry.
25 Did you and Detective Schalk talk about Sergeant Wojcik,

1 about any other matters related to Sergeant Wojick?

2 A. No.

3 Q. Okay. So you remember talking about Sergeant
4 Wojcik with Detective Schalk, correct?

5 A. Only because he's -- he was named in this.

6 Q. Okay. Did you and Detective Schalk talk about
7 Shanee Friend in preparation for today's deposition?

8 A. I don't recall exactly what was talked about.

9 Q. Okay.

10 A. Just things on the reports.

11 Q. Right. And Shanee Friend's listed on the
12 reports, that's why I'm asking you about if you have any
13 recollection of talking to --

14 A. I very well may have, but I don't -- I don't
15 recall specifically, no.

16 Q. Okay. So you don't recall specifically
17 talking to Detective Schalk about Shanee Friend,
18 correct?

19 A. Correct.

20 Q. Did you talk to Detective Schalk about Edward
21 Cooper during your conversations in preparation for
22 today's deposition?

23 A. I probably did. I don't recall any specifics.

24 Q. Okay. Do you recall anything that Detective
25 Schalk told you about either Shanee Friend or Edward

Cooper?

A. No.

Q. Did you talk to Detective Schalk about Emmett Wade in any of the conversations you had in preparation for today's deposition?

A. I don't recall that.

Q. Okay. Did Detective Schalk tell you anything about Emmett Wade during any of your conversations with him in preparation of today's depo?

A. Not that I recall.

Q. Okay. Did you talk to Detective Schalk about Terry Rogers during any of the conversations you had in preparation for today's deposition with Detective Schalk?

A. Probably.

Q. What did you tell Detective Schalk about Terry Rogers during any of those conversations?

A. I don't recall.

Q. What did Detective Schalk tell you about Terry Rogers during any of those conversations?

A. I don't recall.

Q. Did you talk about Mr. Fletcher with Detective Schalk in preparation for today's deposition?

A. Probably.

Q. What did you tell Detective Schalk about

1 Mr. Fletcher during those conversations you had with him
2 in preparation for today's deposition?

3 A. I can't recall.

4 Q. What did Detective Schalk tell you about
5 Mr. Fletcher during those conversations you had with him
6 in preparation for today's deposition?

7 A. I don't recall.

8 Q. Okay. When was the last time you spoke to
9 Detective Schalk?

10 A. In the Zoom meeting that I had with my
11 attorney.

12 Q. Okay. And that was a week ago or so, correct?

13 A. Yes.

14 Q. Prior to that, when was the last time you had
15 one of those phone calls with just Detective Schalk?

16 A. I can't say for sure. I don't know.
17 I -- like I said, I talked to him often.

18 Q. Okay. Would it have been in the last two
19 weeks?

20 A. Before that?

21 Q. Yes.

22 A. Yes, probably.

23 Q. Do you recall what you talked about with
24 Detective Schalk during your last phone call you had
25 with him in preparation for today's deposition?

1 A. Can you say that again?

2 Q. I can. Do you recall what you and Detective
3 Schalk talked about during your last phone call with
4 Detective Schalk in preparation for today's deposition?

5 A. In preparation for this? No.

6 Q. Okay. How many times would you estimate that
7 you spoke to -- strike that. How many times did you
8 speak to Detective Schalk in preparation for today's
9 deposition, with the exception of the times that your
10 attorneys were present?

11 A. Okay. I -- I don't -- I can't use the word
12 preparation. We just talked about things about this
13 case, you know, just -- just general things and trying
14 to remember about it.

15 Q. Okay.

16 A. I -- I wouldn't call it preparation.

17 Q. So let me ask you this way. How many times
18 have you spoken to Detective Schalk about this case
19 since you knew you were going to be deposed in this
20 case, outside of the presence of your attorneys?

21 A. A couple, two, maybe.

22 Q. How many times have you talked to Detective
23 Schalk about this case outside of the presence of your
24 attorneys about this case since you were served with the
25 complaint?

1 A. I don't know.

2 Q. Was it more than a couple?

3 A. No.

4 Q. Okay. When you first got served with the
5 complaint, did you call Detective Schalk to talk to him
6 about it?

7 A. Yes.

8 Q. What was his --

9 A. Or he may have called me, I'm not sure which.

10 Q. What did you guys talk about that first
11 conversation after he was served?

12 A. That we weren't happy.

13 Q. Okay. What did you tell Detective Schalk
14 about this case during that phone --

15 A. I have no idea.

16 Q. What did Detective Schalk tell you about this
17 case during that first phone call?

18 A. We both agreed that it's -- this is highly
19 outrageous that this is happening.

20 Q. Why is it highly outrageous that this is
21 happening, sir?

22 A. Because none of the things that are alleged
23 have we done.

24 Q. Okay. We're going to get into the things that
25 are alleged against you, but you do understand that

1 Mr. Fletcher's conviction has been vacated, correct?

2 MR. STEFANICH: Objection. Asked and answered.

3 A. Yes.

4 BY MR. STARR:

5 Q. And take it you disagree with that?

6 A. I don't -- I -- you know, I'm not a -- I'm not
7 an attorney and I'm not a judge. All we do is present
8 the evidence.

9 Q. Okay. Do you think it's wrong that a judge
10 vacated the conviction of Mr. Fletcher in this case?

11 A. It seems like it, but I don't know for sure.

12 Q. Okay. And you know that Mr. Fletcher received
13 a Certificate of Innocence in this case, correct?

14 A. I think I've heard that.

15 Q. Okay. And do you think it's wrong that
16 Mr. Fletcher received a Certificate of Innocence in this
17 case?

18 A. I have no opinion on that.

19 Q. You don't agree or disagree either way?

20 A. No.

21 Q. Okay. What do you understand a Certificate of
22 Innocence to be?

23 A. Something that says Mr. Fletcher is --
24 Fletcher is innocent.

25 Q. A court order that says Mr. Fletcher is

innocent?

A. I -- I would say so, yeah.

Q. Okay. So you understand that Mr. Fletcher has a court order saying that he's innocent of the Sorrell shooting, correct?

A. Yes.

Q. Okay. And what is your opinion of that court order?

MR. STEFANICH: Objection. Form and foundation.

A. I have no opinion.

BY MR. STARR:

Q. Okay. I'm sorry, what did Detective Schalk tell you his opinion was of the fact that Mr. Fletcher was exonerated and he got a Certificate of Innocence?

MR. STEFANICH: Objection. Form.

A. I don't recall.

BY MR. STARR:

Q. Okay. Any other conversations you had with Detective Schalk about this case that you can recall that you haven't told me about today?

A. Not -- not that I know of, no.

Q. Okay. When you first were served with the complaint in this case, how much could you recall about this investigation?

1 A. Very little. That the case did happen, and
2 that we were involved, but the details I didn't know.

3 Q. Okay. So you had some independent
4 recollection of this was a case that you worked,
5 correct?

6 A. Yes.

7 Q. All right. And did you remember that this was
8 a case that you and Detective Schalk were partners and
9 worked together on?

10 A. Yes.

11 Q. Okay. Did you recall that Detective Noradin
12 was also a detective that was assigned to this case?

13 A. At that time, I didn't recall that.

14 Q. All right. Did you recall that Sergeant
15 Wojcik was the supervisor on this case?

16 A. Had -- no.

17 Q. All right.

18 A. Not at all.

19 Q. Did you recall anybody else -- any other
20 Chicago police personnel that worked on this case when
21 you first were served with the complaint?

22 A. I don't recall anything like that, no.

23 Q. Okay. Tell me everything that you
24 independently recalled about this case when you were
25 first served with the complaint.

1 A. That it happened, that -- that we worked it
2 and that it happened, you know, that it happened.

3 Q. Did you recall the names of any of the
4 witnesses independently?

5 A. No.

6 Q. All right. Did you recall the name of
7 Mr. Fletcher independently?

8 A. Yes.

9 Q. Okay. Did you recall the name of the victim
10 independently?

11 A. No.

12 Q. Okay. And then after you read the complaint,
13 did that refresh your recollection at all?

14 A. Not really.

15 Q. Okay. To what degree did it refresh your
16 recollection?

17 A. I have no idea.

18 Q. Okay. And then subsequent to that, when you
19 were served the complaint, at some point you got your
20 hands on or you reviewed Chicago police reports that
21 were from the investigation, correct?

22 A. Yes.

23 Q. Did you ever have physical copies of the
24 reports? Did you ever receive physical copies of the
25 reports after you were served with the complaint?

1 A. You mean paper?

2 Q. Yes.

3 A. Yes.

4 Q. Okay. And where did you get those paper
5 reports from?

6 A. From Hale's office.

7 Q. From your attorney?

8 A. From -- from Brian, I believe.

9 Q. Okay. And then you reviewed those reports at
10 some point, correct?

11 A. Yes.

12 Q. And am I safe to assume you've looked at those
13 reports a couple of times, at least?

14 A. Yes.

15 Q. Okay. So after reviewing those reports, how
16 much was your independent recollection refreshed about
17 this case?

18 A. It's all still based on reports.

19 Q. Okay. So we're going to look at the reports
20 in a few minutes, but I just wanted to kind of just
21 establish your independent recollection of this case.
22 It improved after you reviewed the reports?

23 A. I could say yes, somewhat.

24 Q. Okay. Did you have any other meetings in
25 preparation for the deposition with anybody besides the

1 meetings you've described where you met with Allyson and
2 Detective Schalk on Zoom? And then you met with Brian
3 and Detective Schalk on Zoom, and then you had some
4 phone calls with Brian, and some phone calls with
5 Detective Schalk. Any other meetings or conversations
6 you had in preparation from today's depo?

7 A. Not that I recall.

8 Q. Okay. Did you ever meet with any attorneys
9 from the city?

10 A. No.

11 Q. Okay. And you met with only Allyson and
12 Brian, no other attorneys, correct?

13 A. Correct.

14 Q. All right. Mr. Bogucki, did you graduate from
15 high school?

16 A. Yes.

17 Q. Where'd you go to high school?

18 A. St. Patrick's.

19 Q. Here in the city of Chicago?

20 A. Yes.

21 Q. Okay. What year did you graduate?

22
23
24 A. '69.

25 Q. All right. And did you go to college?

1 A. Just what was offered in the police academy.

2 Q. What do you mean by that? I'm not sure if I
3 understand.

4 A. That they had college classes in there.

5 Q. Okay. So the police academy offered college
6 courses and you took some of those?

7 A. It was all part of the training.

8 Q. Okay. Any additional education after high
9 school besides what you got in the Chicago Police
10 Academy?

11 A. No, just the police department.

12 Q. Okay. Are you currently employed today?

13 A. No.

14 Q. Are you retired?

15 A. Yes.

16 Q. Okay. And I think you told me this already,
17 forgive me, but I forgot, what year did you retire?

18 A. November of 2006.

19 Q. And when you retired, that was from the
20 Chicago Police Department?

21 A. Yes.

22 Q. And what was your rank in the Chicago Police
23 Department of upon retirement?

24 A. Detective.

25 Q. Okay. Can you give me a general overview of

1 your tenure as an employee of the Chicago Police
2 Department, starting with where and what year you first
3 started; what your assignment was up until when you
4 retired in 2006 as a detective?

5 A. I was -- after the police academy, I went to
6 the 15th District. I worked patrol until 1980,
7 when I passed the detective's test and was -- and was
8 hired as a detective. And I went to Area 5 as a robbery
9 detective. That lasted at about three months, until
10 they changed that to Violent Crimes. And stayed in
11 Violent Crimes after that until at some point, they
12 changed it to Homicide Unit, and that's where I finished
13 my career.

14 Q. Okay. That's pretty straightforward.
15 What years were you in the Chicago Police Academy?

16 A. 1976.

17 Q. How long were you in the academy for?

18 A. I -- I think it was a six-month program.

19 Q. Okay. And then you said you were first
20 assigned as a patrol officer to the 15th District,
21 correct?

22 A. Yes.

23 Q. What year was that?

24 A. That was October -- in -- in -- well, I think
25 it would be '77 by that time.

1 Q. Okay. First half of '77?

2 A. Yes.

3 Q. Okay. And then you were in the patrol -- or
4 I'm sorry. You were in the 15th District as a patrol
5 officer up until you passed the detective test in 1980;
6 is that correct?

7 A. I was hired, I was promoted in '80.

8 Q. Promoted.

9 A. Yeah.

10 Q. Okay. Was it a meritorious promotion or --

11 A. It was not.

12 Q. Okay. What kind of promotion was it?

13 A. It's from the test.

14 Q. Okay. And then you said you were in the
15 robbery part of Area 5 Detective Unit for three months?

16 A. That's -- yeah, that's how long it lasted.

17 Q. Was that in 1980?

18 A. Yes.

19 Q. Okay. And then how long were you a detective
20 in Violent Crimes in Area 5-4?

21 A. I'm not sure. I mean, I worked Violent Crimes
22 my whole career when they changed the names and the --

23 Q. Okay.

24 A. You know, I -- I'm not positive about that.

25 Q. Do you remember how many years you were a

1 detective in the homicide unit in Area 5 before you
2 retired?

3 A. Again, I don't know when they -- I worked
4 homicides while in Violent Crimes, and when -- when they
5 changed the name, I -- I don't know when that was.

6 Q. Okay, that's fair. And during your tenure,
7 where was Area 5 located?

8 A. 5555 West Grand.

9 Q. Okay. In 1995, you would've been in Violent
10 Crimes in Area 5; is that correct?

11 A. I think by that time it was homicide.

12 Q. It was homicide by then. Okay.

13 A. I think.

14 Q. All right. In 1995 as a homicide detective,
15 did you work a regular shift?

16 A. Typically the -- the third watch.

17 Q. And if you can recall in 1995 what the time
18 schedule was for the third watch?

19 A. Barring any -- anything different we had to do
20 at different times, a normal -- normal day would be 4:30
21 until one in the morning.

22 Q. 4:30 p.m. until 1:00 a.m.?

23 A. Yes.

24 Q. Okay. Barring special circumstances, then,
25 could you tell me, is there three watches?

1 A. Yes.

2 Q. Barring special circumstances, what is the
3 time for the second watch in 1995?

4 A. The second watch? Well, again, that could be
5 -- I think typically it was, like, eight in the morning
6 until four -- until five.

7 Q. And then barring special circumstances, what
8 was the time schedule for the first watch?

9 A. Again, typically midnight to eight in the
10 morning.

11 Q. Okay. In 2002, you were still a detective in
12 the homicide division at Area 5, correct?

13 A. Yes.

14 Q. Okay. Were the times for the watches the same
15 as they were in 1995, or did they change that?

16 A. The times can be changed at any time,
17 but I -- as far as I know, they were typically as I
18 described.

19 Q. Okay. So I'm not asking about, like -- I
20 understand that sometimes dark times change and move
21 back and forth, but the typical times for the watches
22 were the same in '95 as they were in 2002?

23 A. Yes. Okay. As far as I know.

24 Q. All right. As a homicide detective, in 1995,
25 did you have an office that was specifically your own

1 office?

2 A. No.

3 Q. Okay. Did you have an office that you shared?

4 A. Yes.

5 Q. And where was that located in Area 5?

6 A. It could be either in the main -- the main
7 floor or their side office, also.

8 Q. Okay. Was the homicide division of Area 5 on
9 the second floor of the building in 1995?

10 A. Yes.

11 Q. And was it also the second floor in 2002?

12 A. Yes.

13 Q. Okay. Could you just give me a brief
14 description of the layout of how the homicide department
15 division was in 1995?

16 A. Well, the Area 5 detectives, it was a -- a
17 floor that was shared -- a main floor that was shared by
18 the property crimes detectives and the violent crimes
19 detectives or homicide. There was a couple of offices
20 that were used by sergeants, and there was a -- there
21 was a separate office that they kept other files -- file
22 cabinets in, and there was a lineup room. There's -- I'm
23 trying to think of how many interview rooms there was.
24 There's four or five interview rooms. That's basically
25 it.

1 Q. Okay. And it's my general understanding that
2 there's, like, an open area of desks that the detectives
3 use; is that correct?

4 A. Yes.

5 Q. Okay. And then were the offices around the
6 perimeter of the floor?

7 A. Yes.

8 Q. Okay. Do you remember how many supervisor
9 offices there were?

10 A. Well, there was a commander's office, there
11 was a main sergeant's office. And I'm not sure, there's
12 some daytime people that were mostly administrative that
13 might have had an office.

14 Q. Okay. So a handful of offices that were
15 dedicated to supervisors in 1995?

16 A. Yes.

17 Q. Is the layout as you described for 1995 the
18 same as the layout was in 2002?

19 A. I think so.

20 Q. Okay. And then you said there was one office
21 that was a dedicated file room; is that correct?

22 A. Yeah, there was -- I -- well, there were files
23 in the sergeant's office. There were files in the -- in
24 another office that we had actually had access to.

25 Q. So there was more than one office that was

1 dedicated to housing files; is that correct?

2 A. Yes.

3 Q. Two offices that were dedicated to housing
4 files or more than that?

5 A. That's all I recall.

6 Q. All right. Was one of them -- did you say
7 that one of the two offices that house files, was this
8 also a supervisor's office?

9 A. One of them was, yes.

10 Q. Okay. And then one of them was a dedicated
11 file office?

12 A. There were homicide files, and I -- I'm not
13 sure things kept -- would -- would change over the
14 years.

15 Q. Okay.

16 A. So I'm -- I'm kind of leery -- blurry on that.

17 Q. Okay. I'm not going to hold you to the
18 specifics of the different file rooms. I'm just trying
19 to get a general idea of what the layout was. And then
20 you said there was four to five interview rooms?

21 A. Yes.

22 Q. Were those all the same size?

23 A. Yes.

24 Q. What part of the floor were they located on,
25 if you can recall?

1 A. Connected to the main floor.

2 Q. Okay. Were they all next to each other?

3 A. Yes.

4 Q. Okay. And do you remember if they were on the
5 East or the West or the North or the South side of the
6 building?

7 A. They were on the west side of the floor.

8 Q. Okay.

9 A. The east -- the east side was all glass.

10 Q. Okay. Windows?

11 A. Uh-huh.

12 Q. All right. And then those interview rooms,
13 what was inside the interview rooms? How were they
14 organized?

15 A. There was a bench and a handcuff ring.
16 That's -- that's about it. Some -- sometimes there were
17 tables in there. That -- that changed at some points.

18 Q. Okay. Were there chairs in there for the
19 detectives to sit in when they were conducting the
20 interview?

21 A. Sometimes there were chairs, sometimes there
22 weren't.

23 Q. All right. And then you said there was a
24 lineup room. Where was that located?

25 A. That would be the far south end of the floor

1 of the Area 5 main floor.

2 Q. South, east, or west?

3 A. I think just south. The south -- the south
4 end, the south wall.

5 Q. Okay. So it wasn't in a corner, it was in the
6 middle of the wall between south and east to west?

7 A. Yeah -- yeah. It -- it encompassed the -- the
8 main floor.

9 Q. Okay. And what was the -- like, inside the
10 lineup room, how was that organized?

11 A. There were two separate rooms, with the
12 one-way glass mirror in -- in between.

13 Q. Okay. And so two separate rooms. Were they
14 identical on either side except for the -- you could see
15 through one of the mirrors, and you couldn't see through
16 on the other side? Or how was it set up?

17 A. No, one -- one was set up where it could be
18 used when lineups weren't being conducted. So there
19 might be a table in there, or -- the other side
20 was -- was strictly for participants of the lineup.

21 Q. Okay. So the side that was strictly for
22 participants, was it just a flat ground that people
23 would stand on, or was there a stage they would get up
24 on? How was it organized?

25 A. I can't remember if there was a bench there or

1 not. I think there might have been a bench in there.

2 Q. And was there --

3 A. And just -- yeah, just plain, nothing else.

4 Q. Okay. Nothing on the wall, but, like,
5 designate the height of the individuals in the lineups?

6 A. I don't think so --

7 Q. Okay. And the other side was used for people
8 viewing the lineup or used for other purposes as you
9 described, correct?

10 A. Correct.

11 Q. And when it was used for people viewing the
12 lineup, how was it organized? Were there chairs in
13 there? Was there a table in there? How was it set up?

14 A. All people viewing the lineup would -- would
15 be standing.

16 Q. Okay. Anything else about either of those
17 rooms that you can recall?

18 A. There was an intercom that you could speak
19 from the one side to the participant side.

20 Q. Okay. So if you were conducting, did you
21 conduct lineups as part of your time as a detective in
22 Area 5?

23 A. Yes.

24 Q. Okay. Generally speaking, how would you go
25 about conducting a lineup?

1 A. Generally, would have the participants of the
2 lineup stand against the back wall in their room, facing
3 -- actually, usually facing the wall. And when we call,
4 they would be numbered from one through however how
5 many. Usually five, one through five. And you -- they
6 were instructed when you call their -- your number,
7 "Come up and stand in front of the mirror." And we'll
8 tell them to make several turning motions and then go
9 back in line. After each of the participants did that,
10 we would have them all stand, turn around and face the
11 mirror.

12 Q. Okay. So initially, they were all lined up
13 facing the wall?

14 A. That's how we did it, yes.

15 Q. Okay. And then you called them one by one?

16 A. Yes.

17 Q. They came forward, they rotated around.
18 So the person viewing the line could see their entire
19 body?

20 A. Yes.

21 Q. And then they went back to the line?

22 A. Yes.

23 Q. And then they all turned around at the same
24 time. So they're all facing the mirror, correct?

25 A. Yes.

1 Q. Okay. Was there a policy in place on how to
2 govern lineups that you were familiar with in 1995?

3 MR. STEFANICH: Objection. Foundation. You
4 can answer.

5 A. There may have been. I mean, yes, obviously,
6 there's was policy, but what's written, I don't know.

7 BY MR. STARR:

8 Q. Okay. Were you familiar with the policy that
9 governed lineups in 2002?

10 A. Yes. The way we ran them was policy.

11 Q. Okay. What was your understanding of what you
12 were required to do when conducting a lineup in 2002?

13 A. Show the participants of the lineup. Have
14 them turn several ways, whether they were -- obviously,
15 it didn't -- not everybody did it exactly the same,
16 like, as far as the participants go. Maybe -- maybe
17 some detectives didn't have them facing the wall, but
18 that's what we did. You know, it would -- it would
19 still fit within policy.

20 Q. Okay. Was there any policy that governed how
21 many people needed to be in the lineup?

22 MR. STEFANICH: Objection. Foundation.
23 You can answer.

24 A. Typically, four plus the -- the person of
25 interest.

1 BY MR. STARR:

2 Q. Okay. Was it your understanding that you were
3 required to have four plus the person of interest, or
4 was there any set number that you were required to have
5 that you as you understood it in 2002?

6 A. No, it -- it was the best you can do.
7 If you -- you should try and do four plus the -- the
8 person of interest.

9 Q. Okay.

10 A. There were times where there weren't fillers,
11 and it might have been four, I mean, total.

12 Q. Okay.

13 A. Instead of five.

14 Q. So there was times that you did lineups where
15 there was three fillers plus the person of interest?

16 A. I -- I believe it could have happened, yes.

17 Q. Okay. Was there ever times you did lineups
18 where there was less than four people total in the
19 lineup?

20 A. No.

21 Q. Okay. Were there times that you did lineups
22 where there was more than five people total?

23 A. When there was multiple persons of interest,
24 yes.

25 Q. What was the most amount of people that you

1 could put in -- that you recall putting in a lineup at
2 one time?

3 A. It was quite a few, but I -- I can't be
4 specific about it, because I really don't remember.

5 Q. Okay. Regarding the fillers, how did you get
6 people to be fillers in a lineup?

7 A. Typically, we would check the lockup for
8 people that are locked up in the 25th District.
9 Sometimes have to go to another district, you know, to
10 get fillers. If there were none in the lockup.
11 Other -- other than that it could be someone that was in
12 the Area 5 office at the time.

13 Q. When you say the 25th District lockup, that
14 lockup is in the same building as where Area 5 is; is
15 that correct?

16 A. Yeah, it's on the first floor, yes.

17 Q. Okay. And was there a Chicago Police
18 Department policy that applied to fillers of lineups
19 that you were familiar with in 2002?

20 A. I don't know of an official policy, but
21 I -- I learned how to do lineups.

22 Q. What did you learn how to do the -- do lineups
23 in terms of fillers?

24 A. Get -- check the lockups first and go from
25 there. Anybody -- I mean, you could -- you could

1 actually solicit someone off the street if you -- if you
2 could get them to come in.

3 Q. Okay. Was there a Chicago Police Department
4 policy that governed anything about the physical
5 characteristics of the fillers in lineups?

6 A. Be -- try and be -- so do the best you can try
7 and be as similar.

8 Q. Okay. Did you make it a practice to find
9 fillers that looked like the suspect when you conducted
10 lineups in 2002?

11 A. Well, yeah, we tried.

12 Q. When you say, "We tried," what does that mean?

13 A. That means we did the best we could.

14 Q. Okay. So were there times that you conducted
15 lineups with fillers that did not look like the suspect?

16 A. Well --

17 MR. STEFANICH: Objection. Form and
18 foundation. You can answer.

19 A. I guess that's a matter of opinion.

20 BY MR. STARR:

21 Q. Whose opinion?

22 A. Anyone's.

23 Q. Okay. Did you conduct lineups as a Chicago
24 Police Department detective where the fillers were
25 different genders than the suspect?

1 A. No.

2 Q. Okay. Did you conduct lineups as a Chicago
3 Police Department detective where the fillers were
4 different skin colors than the suspect?

5 A. It -- they could be off a little bit.

6 Q. Okay. Did you as a Chicago Police Department
7 detective conduct lineups that involve fillers who had
8 different color hair than the suspects?

9 A. I wouldn't if it didn't matter.

10 Q. What do you mean by that, sir?

11 A. Well, if hair had nothing -- no value, then it
12 might not have mattered, but I don't -- I can't recall a
13 time I did that.

14 Q. What do you mean by if hair had no value?
15 I'm not sure if I understand that.

16 A. Well, like in this case, 12 years later,
17 hairstyle doesn't -- doesn't matter much. So if someone
18 had two different hairstyles, it wouldn't matter.

19 Q. Okay. So when you say "in this case 12 years
20 later, hairstyle didn't matter," what do you
21 specifically mean by that?

22 A. That hairstyles change. Could change daily.
23 I mean, it'd be totally different 12 -- 12 years later.

24 Q. Right. But if you have a witness who is
25 viewing a lineup, did you have an obligation to put

1 people in the lineup that looked like the person they
2 saw when the crime was committed?

3 A. No.

4 Q. Okay.

5 A. Not -- not as far as hair goes.

6 Q. What obligation did you have to put people in
7 the lineup that looked like the person who allegedly
8 committed the crime -- strike that. I poorly phrased
9 that. You say "not as hair was considered." What
10 obligations did you have regarding fillers in lineups in
11 2002 based on Chicago Police Department policy that
12 you were aware of?

13 MR. BURNS: May I hear the question again,
14 please? I'm sorry.

15 THE REPORTER: Yeah.

16 (REPORTER PLAYS BACK REQUESTED QUESTION)

17 MR. BURNS: Objection to the form of the
18 question. Thank you.

19 A. I'm not sure what you're asking.

20 BY MR. STARR:

21 Q. Were you aware of any obligations -- strike
22 that. Were you aware of any policy by the Chicago
23 Police Department that governed the type of fillers that
24 you put in lineups in 2002?

25 A. Just as -- as best you can to get similar to

1 the person of interest.

2 Q. Okay. Let's take a five minute break, okay?

3 A. Okay.

4 THE VIDEOGRAPHER: We are off the record. The
5 time is 12:41 p.m. Central Time.

6 (OFF THE RECORD)

7 THE VIDEOGRAPHER: We are back on record for
8 the deposition of Jerome Bogucki. My name is
9 Kortney Chase. Today's April 20, 2023 and the time
10 is 1:38 p.m. Central Time.

11 BY MR. STARR:

12 Q. All right, Mr. Bogucki. I think I was last
13 asking you before the break about some policy issues.
14 I'm going to come back to that. I'm going to ask you
15 mentioned you were in the police academy. You mentioned
16 about maybe it was a six month tenure in the police
17 academy, correct?

18 A. I believe that's what it was, but I'm not
19 sure.

20 Q. Okay. And you were trained on various forms
21 of police work while you were in the academy; is that
22 correct?

23 A. I -- yes.

24 Q. All right. Do you recall any topic areas that
25 you were specifically trained on during your time at the

1 police academy?

2 A. No. Specifically, no.

3 Q. Okay. Do you know whether or not you were
4 trained on giving testimony in court?

5 A. I don't know.

6 Q. All right. Do you know if you were trained on
7 interviewing witnesses?

8 A. I'd say probably, but I have no recollection
9 of it.

10 Q. All right. Do you have any recollection of
11 being trained on how to interview a suspect?

12 A. I might have. I don't know.

13 Q. Okay. What about any training that you
14 received during your time in the academy on report
15 writing?

16 A. That's -- that I know, that was covered.

17 Q. Okay. So that's one thing you do remember
18 getting trained on is report writing, correct?

19 A. From the original police academy?

20 Q. Yeah.

21 A. Yes.

22 Q. Okay. So in terms of report writing, other
23 than the training you received in the academy, did you
24 receive any additional training at any point in your
25 career on police report writing?

1 A. Possibly when I went to the Academy for
2 Detective School.

3 Q. All right.

4 A. But I -- specifically, I can't recall.

5 Q. Okay. Do you recall any other specialized
6 training you received in the regular police academy
7 besides report writing?

8 A. I don't know.

9 Q. All right. And then you just alluded to
10 training that you received when you became a detective.
11 There's a separate academy for detectives; is that
12 correct?

13 A. There's a -- I think it was six weeks.

14 Q. Okay. Do you recall when that was; was that
15 1980?

16 A. Yes.

17 Q. All right. And where was that training
18 facility or was there a facility?

19 A. The -- oh, what was the address of that?
20 The -- it's the police academy.

21 Q. Okay. Was that the same place you had
22 regular --

23 A. Yes.

24 Q. -- academy at? Okay. Did you receive any
25 additional training on report writing when you were at

1 the detective's academy?

2 A. Possibly, but I don't have independent
3 recollection.

4 Q. All right. Do you have any independent
5 recollection of any training you received at the
6 detective's academy?

7 A. Not offhand.

8 Q. Okay. Do you know whether or not you were
9 trained on how to give testimony in court when you were
10 in the detective's academy?

11 A. I believe they covered demeanor.
12 How you should act and --

13 Q. Demeanor in court in particular?

14 A. While I -- while in court, yes.

15 Q. Okay.

16 A. Yeah.

17 Q. And then do you know whether or not you were
18 trained in the detectives academy on interviewing
19 witnesses?

20 A. I would think so, but I haven't got
21 independent recollection of that.

22 Q. All right. Do you know whether or not you
23 were trained on interviewing suspects when you were in
24 the detective's academy?

25 A. I probably was.

1 Q. But you don't have an independent
2 recollection?

3 A. No.

4 Q. Do you recall any of the specialized training
5 that you received at the detective's academy?

6 A. No.

7 Q. Okay. Well, let me just ask you generally
8 then about your understanding of the policies and the
9 practices in place while you were a homicide detective,
10 okay?

11 A. Okay.

12 Q. And I'm generally going to be talking about
13 the time period of '95 to 2002. If there's a specific
14 difference between the two time periods that you recall,
15 please point that out for me, okay?

16 A. Okay.

17 Q. What was your understanding generally
18 regarding the policies governing report writing when it
19 came to the detectives?

20 MR. BURNS: Objection. Form. Foundation.

21 A. I don't know if there's a specific policy.

22 BY MR. STARR:

23 Q. Okay. Were you aware of any policies in place
24 that governed how you were supposed to write reports
25 when you were a homicide detective?

1 A. No, it was kind of on the job training.

2 Q. Okay. You became a detective in 1980,
3 correct?

4 A. Yes.

5 Q. In 1995, did you consider yourself a seasoned
6 detective?

7 A. I would say so, yes.

8 Q. You considered yourself an experienced
9 detective as of 1995?

10 A. Yes.

11 Q. All right. By 1995, you probably had a lot of
12 experience with the criminal process generally, correct?

13 A. Yes.

14 Q. All right. In '95, did you consider yourself
15 to be good at your job?

16 A. At least adequate.

17 Q. Okay. What about in 2002; did you consider
18 yourself to be good at your job in 2002?

19 A. Sure.

20 Q. And what's your definition of what a good
21 detective is?

22 A. Someone that works hard.

23 Q. Okay. Anything else?

24 A. Someone that does their job.

25 Q. Okay. Does a good detective collect all

1 relevant evidence that he or she can?

2 A. Yes.

3 Q. All right. Does a good detective document all
4 information they learn that's relevant to an
5 investigation?

6 A. Yes.

7 Q. Okay. Was it important to document facts that
8 you learned in the course of an investigation in a
9 formal way?

10 MR. STEFANICH: Objection. Form.

11 A. I'm not sure I understand your question.

12 BY MR. STARR:

13 Q. Okay. Let me rephrase it. How did you, in
14 your practice, document information you learned during
15 the course of an investigation?

16 A. Anything important was put into a summary
17 on a -- well, either summary or fact in a -- a
18 case -- in a case reporter or a supplementary report.

19 Q. Okay. Was it important to document
20 information you learned during the course of an
21 investigation because you may need to recall that
22 information down the road?

23 A. That's a good part of it, yes.

24 Q. All right. And did you make it a practice to
25 fully and accurately document the information you

1 learned during the course of a homicide investigation?

2 A. Whatever I thought was important, yes.

3 Q. All right. You knew as a seasoned,
4 experienced detective that you may be called to testify
5 in a case that you investigated, correct?

6 A. Yes.

7 Q. And you knew as a seasoned and experienced
8 homicide detective that if you were called to testify
9 you may be cross-examined, correct?

10 A. Yes.

11 Q. And so as a seasoned, experienced detective,
12 it was important to you to have a document that you
13 could refer to that explained to you the information you
14 learned in the course of an investigation, correct?

15 A. It'd be fair to say that, sure.

16 Q. All right. In addition to the possibility
17 that you may be called to testify and cross-examined,
18 were there other reasons that were important to document
19 information you learned in the course of a homicide
20 investigation?

21 A. Well, it just -- that's my job and it makes it
22 important.

23 Q. Okay. Was it important to document
24 information you learned in the course of an
25 investigation in order to be thorough?

1 A. Yes.

2 Q. Okay. Was it important to document
3 information you learned in the course of an
4 investigation in order to be accurate?

5 A. Yes.

6 Q. Okay. Was it important to document
7 information in -- that you learned in the course of an
8 investigation in case you need to refresh your
9 recollection?

10 A. Yes.

11 Q. All right. Did you make it a practice to put
12 the information that you learned -- strike that. Did
13 you make it a practice to put any information you
14 documented in a police report into the investigative
15 file?

16 A. Yes.

17 Q. Okay. Was it also important to document
18 information you learned in the course of an
19 investigation because that information may be used
20 against a suspect at some point in time?

21 A. Yes.

22 Q. Okay. Was it also conversely important to
23 document information you learned in the course of an
24 investigation because the information you learned
25 may be used to exonerate a suspect?

1 A. The facts are the facts, yes.

2 Q. Okay. So would you document all relevant
3 information you learned during the course of an
4 investigation, whether it was exculpatory or
5 inculpatory?

6 A. Yes.

7 Q. All right. Did you make it part of your
8 practice to use GPRs when you were a homicide detective?

9 A. When needed, yeah.

10 Q. Okay. When you would go out to investigate a
11 crime, would you have the GPR document with you?

12 A. Most of the time.

13 Q. Okay. And how would you go about bringing a
14 GPR with you out into the field?

15 A. We'd have a folder with blanks.

16 Q. Okay. And I think I asked you earlier about
17 writing GPRs. You hand wrote GPRs and typed GPRs; is
18 that correct?

19 A. Well, there was -- there was a period in Area
20 5 where some GPRs were type written. It was kind of a
21 shortcut for a -- a supplementary report.

22 Q. Okay.

23 A. And it was just a -- a period of time that
24 people were doing that.

25 Q. What period of time was that?

1 A. Well, '95. I don't know any -- you know, not
2 long.

3 Q. It was in 1995 though?

4 A. Well, apparently.

5 Q. Okay. And why do you say that today?

6 A. Because I have one of those.

7 Q. For this case?

8 A. Yes.

9 Q. Okay. And if you were investigating homicide
10 and you were interviewing a witness, would you document
11 all the information the witness told you?

12 MR. STEFANICH: Objection to form.

13 A. Anything pertinent.

14 BY MR. STARR:

15 Q. Okay. If you were in -- strike that.
16 As a practice, when you interviewed witnesses to
17 homicides, would you document the information in a GPR?

18 A. Not necessarily.

19 Q. Okay. What circumstances would you document
20 that information in a GPR?

21 A. You know what? Sometimes -- sometimes you
22 can't write fast enough and it doesn't get on a GPR.
23 Sometimes you don't -- you don't want to bring out GPRs
24 because it might have someone stop talking.
25 So they're -- GPRs are just -- they were meant just for

notes to help you write a supplementary report.

Q. Okay. In addition to GPRs, did you take notes during the course of investigations in any other fashion?

A. Well, if there was no GPR paper around, it could be on anything. It could be on any piece of paper. If there's notes, they're notes.

Q. And did you use regular pieces of paper to take notes during your time as a homicide detective?

A. I have.

Q. Okay. During the Sorrell investigation, did you use any pieces of paper to take notes on?

A. I don't know for sure.

Q. Any other ways that you would personally document information you learned during the course of an investigation, other than GPRs and blank sheets of paper?

A. Just through my memory.

Q. All right. Did you keep any kind of journal or anything like that?

A. No.

Q. As a Chicago police detective, you were required to document any exculpatory information you learned, correct?

A. Right.

1 Q. And how did you understand that to be the
2 case?

3 A. Just the right thing to do.

4 Q. Did you understand that you had any kind of
5 legal obligation to document exculpatory information you
6 learned in the course of an investigation?

7 A. Just through experience and what I've heard
8 and what people say.

9 Q. Did you ever receive any training regarding
10 documenting exculpatory information?

11 A. Not that I recall, but I may have.

12 Q. Okay. Do you know what Brady material is?

13 A. Not really. I've heard the term before, but
14 I'm not familiar with it.

15 Q. Do you have any understanding of what that
16 term refers to?

17 A. Not -- not offhand.

18 Q. Okay. So I represent it to you generally that
19 Brady's a Supreme Court case that made it a requirement
20 to document exculpatory information. Would that be an
21 understanding that would be good share?

22 A. Okay. That'd be fair.

23 MR. STEFANICH: I'll object. I don't think
24 that's accurate, so I'm going to object to form.
25 You can answer.

1 A. You know what? I don't -- I don't know for
2 sure.

3 BY MR. STARR:

4 Q. Okay. But you did have an understanding that
5 you had an obligation to document exculpatory
6 information that you learned in the course of an
7 investigation?

8 A. Of course.

9 Q. All right. Did any supervisor ever tell you
10 that you had to document exculpatory information?

11 A. They may have. I don't know. I don't
12 remember.

13 Q. Did you ever receive any brochures or any
14 documents, training documents, on documenting
15 exculpatory information you learned in the course of the
16 investigation?

17 A. I may have. I don't know. It's a long time
18 ago.

19 Q. Did you ever go to any kind of professional
20 development course or anything along those lines where
21 you were instructed on documenting exculpatory evidence?

22 A. I don't think so --

23 Q. All right. If you learned -- strike that. Did
24 you ever learn relevant information in the course of an
25 investigation that you communicated to another detective

1 and expected that detective to document the information?

2 A. Yeah, probably my partner all the time.

3 Q. Okay. So was it a part of your practice that
4 if you learned stuff, sometimes you'd tell your partner
5 to document it and you'd expect him to document it?

6 A. If -- if he was up for writing the report,
7 yeah.

8 Q. Okay. Did you have a practice where one of
9 you wrote the reports more frequently or what was the
10 exchange?

11 A. Actually, we -- we'd kind of take turns with
12 all the -- say all the pertinent little evidence,
13 information and numbers and this and that, and then as
14 far as -- as far as writing summaries of what people
15 said and everything, we'd actually both contribute
16 to a -- oftentimes contribute to a report. So we'd be
17 on two different computers and write our part and it
18 would make it into the same supp.

19 Q. Okay. Did you make it a practice to document
20 the investigative steps you took during the course of an
21 investigation in a police report?

22 A. That was usually the case, yes.

23 Q. Okay. Would you document investigative steps
24 you took in a GPR ever?

25 A. Not necessarily, no.

Q. Okay. What would you use GPRs for?

A. Notes.

Q. Okay. Notes --

A. Except in that one time period where some things got typed up.

Q. Yeah, I understand that. Okay. What kind of notes would you put into a GPR?

A. Anything.

Q. Okay. So for instance, if you were interviewing a witness, was it your practice to put information you learned from the witness into a GPR?

A. Again, usually. But not always.

Q. If you were interviewing a witness and you were taking a -- strike that. If you were interviewing a witness and you happened to be using a GPR to document the information you learned, what kind of information would you put into the GPR?

A. Anything I thought I needed to remember.

Q. Okay. So if you were interviewing a witness who told you that they saw the suspect and you were using a GPR to document that interview, was that the kind of thing you'd put into a GPR?

A. Well, that's something I could easily remember, so not necessarily.

Q. Okay. If you were interviewing a witness

1 under the same circumstances and the witness told you
2 some sort of identifying characteristics about the
3 suspect, would you put that into a GPR?

4 A. Usually yes.

5 Q. Okay. If you were interviewing a witness and
6 using a GPR to document the interview, and the witness
7 told you the color of the weapon that the suspect used,
8 was that something you would document into a GPR?

9 A. Typically, but not necessarily.

10 Q. Okay. If you were interviewing a suspect or a
11 witness and they told you something about the number of
12 suspects, is that something that you would document into
13 a GPR?

14 A. Again, it -- it all depends on the situation.

15 Q. Okay.

16 A. You know, if it -- if it's something simple
17 where I could remember it -- it may not go down on paper
18 at all.

19 Q. So --

20 A. Or if I -- or if I thought it was intimidating
21 to the person I'm talking to be writing in front of him,
22 I wouldn't write at all.

23 Q. Okay.

24 A. I might write something after I left the room.

25 Q. If you learned relevant information and you

1 didn't document it in a GPR, you would then document it
2 in a different format; is that correct?

3 A. All the information is -- is -- things that
4 are written on GPRs are -- helps to write a supp.

5 Q. Okay. So what type of stuff would you
6 typically include in a GPR?

7 A. Anything and everything.

8 Q. Were GPRs subject to approval?

9 A. You know what? They had a -- an approval line
10 on there, but sometimes, you know, it depends what time
11 period it was, whether they'd actually get approved or
12 not. There's -- there's a box for somebody to sign, but
13 I -- I believe, but it's not necessarily done.

14 Q. All right. After you wrote a GPR in any
15 circumstance, what would you do with it?

16 A. Well, it would stay with the file. So I mean,
17 the most important thing was that the GPR would make it
18 to the -- to -- to the formal file.

19 Q. Okay. Would you submit it to a supervisor or
20 would you just put it directly into the file?

21 A. Again, that's something that's changed over
22 the years here and there. Sometimes -- sometimes there
23 was a -- a -- a -- you did it yourself. You put it in a
24 formal file. Other times, you put it in a basket and
25 somebody else was assigned. That was their job to put

1 files together. I mean, it kept changing. So.

2 Q. What were you doing in 1995?

3 A. Don't know.

4 Q. What were you doing in 2002 as it pertains to
5 GPRs?

6 A. I'm not sure. But it would -- one way or
7 another, they would make it to the formal file.

8 Q. Did you ever take notes on your own piece of
9 paper and then transfer that information to a GPR?

10 A. I don't think so, but I may have. I don't
11 know.

12 Q. Do you know if that was an accepted practice?

13 A. Any notes would go into the file.
14 That's -- that's --

15 Q. So if you took notes on a non-GPR form, just
16 on a blank sheet of paper, you would put that blank
17 sheet of paper with the notes on it into the file?

18 A. Yes.

19 Q. Do you know if there was any Chicago Police
20 Department policy regarding how to write a GPR?

21 A. Not that I know.

22 Q. Do you know if there's any Chicago Police
23 Department policy regarding how to submit a GPR?

24 A. No, not that I know of.

25 Q. Were you trained on how to write a GPR?

1 A. No. It -- it was -- we were told that it was
2 paper to write notes on.

3 Q. Who told you that?

4 A. Somebody. I don't know who.

5 Q. If you were interviewing a suspect and using a
6 GPR and they told you anything about the suspect
7 themselves, would you document that in a GPR?

8 A. I might.

9 Q. If you're interviewing a witness to a homicide
10 who said they couldn't see the suspect, would you
11 document that?

12 A. Sure.

13 Q. Okay.

14 A. I mean, if I was going to document it at all,
15 that would be documented.

16 Q. Okay.

17 A. I mean, it would -- if I needed to. Let me
18 put it that way.

19 Q. Did you make it a regular practice to take
20 notes?

21 A. For the most part.

22 Q. And why did you want to take notes as a
23 homicide detective?

24 A. To help us write the supplementary report.

25 Q. Okay. So it was important to take notes in

1 some form, whether it was on a blank sheet of paper or a
2 GPR so that when you went to write the supplementary
3 report, you could be accurate, correct?

4 A. Yes.

5 Q. Did Detective Schalk in your experience take
6 notes?

7 A. Yes.

8 Q. Okay. Did you guys ever compare notes when
9 you would interview a suspect or a witness?

10 A. Well, if -- if one of us might have thought
11 they heard one thing and the other heard -- thought they
12 heard something else, so yeah. We'd compare. If
13 necessary.

14 Q. And during your time as a homicide detective,
15 was Detective Schalk your regular partner?

16 A. Yes.

17 Q. Okay. So did you have occasions to interview
18 witnesses together?

19 A. Yes.

20 Q. And did you have occasions to interview
21 suspects together?

22 A. Yes.

23 Q. When you were interviewing a witness with
24 Detective Schalk, would you both take notes or would you
25 choose one person to take notes?

1 A. He was a better note taker than me.
2 My fingers are kind of slow and clunky, but we
3 could -- it -- it could be either.

4 Q. Okay.

5 A. Either we could both be writing down things
6 or -- or just one of us.

7 Q. As a regular practice though, was Detective
8 Schalk the primary detective who took the notes?

9 A. I -- I'd say if -- if you were to say who took
10 the most notes, I would say it was Detective Schalk
11 because he had a quicker hand.

12 Q. Okay. Were there ever any circumstances when
13 you were interviewing a witness or a suspect for that
14 matter, where you would specifically refrain from taking
15 notes?

16 MR. STEFANICH: Objection.

17 A. Well --

18 MR. STEFANICH: Been asked and answered.

19 But --

20 A. Yeah. Not that -- not that I specifically
21 remember, but just in general practice, if it looked
22 into -- if -- if we thought it was intimidating to the
23 person that we're talking to, we may not take notes.

24 BY MR. STARR:

25 Q. What basis would you have to think that taking

1 notes would intimidate somebody?

2 A. Just the way they act. It's -- there's
3 nothing I can really describe.

4 Q. Do you have any independent recollection of
5 interviewing a witness who you felt like it would be
6 intimidating if you took notes?

7 A. I -- I can't recall.

8 Q. Okay. Do you know whether or not that ever
9 actually happened in your career?

10 A. I know there's times we don't take notes,
11 didn't take notes. But, you know, maybe -- maybe notes
12 were taken a little while longer when you left a person.
13 A little while after, I should say.

14 Q. Okay. So other than circumstances where you
15 were interviewing someone and you felt like you may
16 intimidate them, and because of that you refrain from
17 taking notes, what other circumstances can you think of
18 where you refrain from taking notes while you're
19 interviewing someone?

20 A. I don't know. I -- I -- I can't -- I can't
21 answer. Every -- every interview is different. Every
22 case is different.

23 Q. How soon after taking notes would you submit
24 them to the file?

25 A. I'm not sure. It -- it should be right away,

1 but I guess sometimes they could be held because --
2 until the reports are written.

3 Q. So there was circumstances where you would
4 take notes during an interview that you conducted, and
5 then you would not submit those notes to the file until
6 after you actually wrote the supp report?

7 A. Yeah, because that's -- those are the helps we
8 need to write the supp report.

9 Q. Okay. And then in terms of your time as a
10 homicide detective, were you familiar with any policy
11 that was in place governing how to conduct an interview?

12 A. Policy?

13 Q. Yeah.

14 A. Not that I'm -- not that I remember.

15 Q. Okay. Was there any particular practice that
16 you would follow regarding interviewing?

17 A. Any particular practice? No.

18 Q. Okay. Do you know if there's any rules or
19 regulations that govern how a homicide detective
20 conducted an interview?

21 A. If there is, I don't recall.

22 Q. Was it a primary part of a homicide
23 detective's job to conduct interviews?

24 A. Yes.

25 Q. Okay. How does a homicide detective determine

1 who to interview?

2 A. Depending on what the case was. Depending
3 where the case took you.

4 Q. So would you always interview any witnesses to
5 a homicide?

6 A. Yes.

7 Q. Okay. Would you always interview the suspect
8 in a homicide or attempt to interview a suspect in a
9 homicide?

10 A. Yes.

11 Q. Okay. Where did you commonly conduct your
12 interviews as a homicide detective?

13 A. Could be anywhere. Could be on the street,
14 could be at their home. Could be in the -- in the
15 office.

16 Q. Okay. If you interview a suspect or a witness
17 in the police station at Area 5, where would you conduct
18 the interview?

19 A. In one of the interview rooms, typically.

20 Q. Okay. Would you ever record interviews that
21 you conducted with witnesses or suspects?

22 A. Toward the end of my career, there were
23 suspect recordings. Not yet witnesses, I believe.

24 Q. Was that an audio recording?

25 A. I think it was -- I think it was video.

1 Q. When did that practice start?

2 A. Again, toward the end of my career.

3 I -- I retired in '06 and I wasn't really -- some --
4 somebody else would have to help me on those because of
5 the technicality of it.

6 Q. During your career, whether it was at the end
7 or not, did you conduct interviews of the suspects that
8 were recorded?

9 A. I can't recall.

10 Q. Is a homicide detective expected to share the
11 information they learn when they conduct an interview
12 with other police personnel that are part of the case?

13 A. It wouldn't be uncommon.

14 Q. Was there an expectation that you share that
15 information with the rest of the police personnel that
16 are assigned to that case?

17 A. That are assigned to it?

18 Q. Yeah.

19 A. Oh, absolutely.

20 Q. Okay. Was it an expectation that you would
21 share the information you learned during interviews with
22 your supervisor?

23 A. Yes.

24 Q. Okay. Was there an expectation you would
25 share the information you learned during interviews with

1 your partner?

2 A. With your partner?

3 Q. Yeah.

4 A. Sure.

5 Q. Okay. And did you make a practice of doing
6 that? Sharing the information with your partner that
7 you learned?

8 A. Constantly.

9 Q. Okay. Did you make it a practice to share the
10 information you learned during interviews with your
11 supervisors?

12 A. Not necessarily.

13 Q. Okay. In what circumstances would you not
14 share the information you learned during an interview
15 with a supervisor?

16 A. If they didn't ask.

17 Q. So would you --

18 A. I mean, if -- if it was something -- I mean,
19 it was just general conversation basically, you know?
20 And it was --

21 Q. Would you only share information you learned
22 during the course of interviews with your supervisors if
23 your supervisors sought that information out?

24 A. Yes. Unless we thought they should know
25 something.

1 Q. Can you think of any circumstance where a
2 detective does not have to formally document relevant
3 information they learn during the course of an
4 interview?

5 MR. STEFANICH: Objection. Form. You can
6 answer.

7 A. Not that I can think of.

8 BY MR. STARR:

9 Q. Okay. Along the same lines of Chicago Police
10 Department policies and your practice, I want to ask you
11 some questions about identification procedures.
12 Do you know what I mean when I refer to identification
13 procedures?

14 A. Well, I guess so.

15 Q. What's your understanding of the term
16 identification procedures?

17 A. What do you do when someone's identified.

18 Q. Okay. So commonly I'm talking about lineups
19 and photo arrays and any other procedure that the police
20 may engage in in order to see if a witness can identify
21 somebody. Does that make sense?

22 A. Yes.

23 Q. Okay. Were there any policies in place that
24 you were familiar with in the Chicago Police Department
25 in 1995 regarding how to conduct identification

1 procedures?

2 A. Policies? I -- I don't recall what the
3 policies were.

4 Q. Do you know if there were any rules or
5 regulations governing how you could or could not conduct
6 an identification procedure in 1995?

7 A. Well, I would -- you would follow procedures
8 that would be good for the -- the criminal trial.

9 Q. What do you mean by that, sir?

10 A. Well, the -- the courts would -- we would -- I
11 would -- it was again, on the job training basically.
12 And the courts -- the courts would determine what we
13 would need to do.

14 Q. What do you mean by that?

15 A. Or not do.

16 Q. I'm just not following. What do you mean the
17 courts would determine what you could and couldn't do?

18 A. Well, I -- I believe there's precedents
19 in -- in various cases where identifications are
20 questioned or approved.

21 Q. Okay, let me ask you this: What precedents are
22 you referring to?

23 A. Identification.

24 Q. Yeah. What precedents?

25 A. Any. Any -- anything.

1 Q. Okay. Are you --

2 A. Anything regarding identifications.

3 Q. Are you specifically familiar with any
4 precedent that governs how the Chicago police can
5 conduct an identification procedure?

6 A. No, but I just knew what -- what we had always
7 done, and it was fine in court, and that was what I had
8 learned.

9 Q. Okay. And what was it that you always did
10 when you did identification procedures?

11 A. You have to be more specific than that.

12 Q. You just said that. Let me ask you this:
13 What was your practice regarding how to conduct
14 identification procedures?

15 MR. BURNS: Objection to form of the question.

16 A. What was my practice? To which form of
17 procedure are you -- which form of identification?

18 MR. BURNS: Objection. I think part of it's
19 been asked and answered earlier, but you can answer
20 again.

21 A. Can you ask the question again, please?

22 BY MR. STARR:

23 Q. Sure. All right. Let me break it down a
24 little bit for you. When you conducted a photo array
25 with a witness to a homicide, what was your general

1 **practice?**

2 A. To gather a number of photos that were similar
3 in looks of -- of your person of interest before
4 you -- and show it to witness.

5 **Q. And where would you gather those photos from?**

6 A. Could be from the internet -- I mean, from the
7 internet or from files, police files, anywhere you can
8 get them from.

9 **Q. Okay. And what criteria would you have to**
10 **determine which photos to choose?**

11 A. Just similar looking photos.

12 **Q. Okay. Where were the places that you said the**
13 **internet, where would you get photos from the internet**
14 **to use in a photo array?**

15 A. You know what? Internet is probably not
16 the -- the right phrase. Computer files that we had
17 access to.

18 **Q. What computer files did you have access to?**

19 A. You know what? I don't -- I -- I don't recall
20 what they're called anymore. The police -- you know,
21 this police could be IDOC, could be Cook County Jail,
22 could be Chicago Police Department photos.

23 **Q. Okay. So as part of your practice when you**
24 **did photo arrays, you would get photos from IDOC; is**
25 **that correct?**

1 A. It is. We have done that, but it's
2 typically -- typically, no. It's typically -- typically
3 from the police department photos.

4 Q. Okay. We'll get to the police department
5 photos. How would you get photos from IDOC?

6 A. There's -- there was a computer link to that.

7 Q. So you would go to the IDOC website,
8 and that -- just tell me what the practice was?

9 A. Yeah, I don't think -- it wasn't -- we didn't
10 use it -- at -- as a regular basis, but we had used it.
11 I think there is a -- an IDOC website.

12 Q. Okay. In what circumstances would you go to
13 the IDOC website in order to get photos to use in a
14 photo array?

15 A. I -- it could depend on the situation,
16 I guess.

17 Q. What types of situations would it take for you
18 to decide to use the IDOC website to get photos for a
19 photo array?

20 A. Well, I can't -- I can't say a particular
21 thing. I know on this case we did.

22 Q. Okay.

23 A. And it is probably because we were already
24 looking at IDOC photos for our suspect.

25 Q. And that was in 1995, correct?

1 A. No.

2 Q. What time period are you referring to then
3 when you said you were already looking at IDOC photos
4 for your suspect?

5 A. In 2002.

6 Q. Okay. What other circumstances -- strike
7 that. In what other cases did you use the IDOC website
8 to retrieve photos to use in a photo array besides this
9 one?

10 A. I don't recall any others.

11 Q. Okay.

12 A. There may have been, but I don't recall.

13 Q. Why were you using the IDOC website to look
14 for photos to use in a photo array in this case?

15 A. I'm not -- I'm not sure about that. You know,
16 I can't remember exactly why they were chosen -- they
17 were picked out of there, but I can't recall.

18 Q. All right. You said that the other place that
19 you may look for photos to use, or the other place that
20 you did get photos from to use, in a photo array was the
21 Cook County Jail; is that correct?

22 A. I think we had in the past, yes.

23 Q. Okay. How would you go about getting photos
24 from the Cook County Jail to use in a photo array?

25 A. I think there was a -- a -- a website to go to

1 there also, or a -- or there may have been a main way to
2 get in for police department. I'm not sure anymore.

3 Q. What cases did you use the Cook County Jail
4 website to retrieve photos to use in a photo array?

5 A. I have no idea.

6 Q. Okay. Do you have any specific recollection
7 of using the Cook County Jail website to retrieve
8 photos?

9 A. Not specific, no.

10 Q. Let me just finish the question before you
11 answer it.

12 A. Okay, I thought you were done.

13 Q. Do you have any specific recollection of using
14 the Cook County Jail website to retrieve photos to use
15 in a photo array?

16 A. No specific recollection, no.

17 Q. And then you also said that you would get
18 photos from the Chicago Police Department to use in
19 photo arrays. What was that process? Describe that for
20 me.

21 A. Well, those Chicago Police Department photos
22 are around a lot in -- in -- in the detective --
23 detective areas, or -- and you can order them.
24 You -- you can just put an IR number and order a photo.
25 So these photos are available all the time, quite often.

1 Q. What type of photos are available via the
2 Chicago Police Department, in your experience?

3 A. They're -- they're photos from arrests.

4 Q. Okay. So like booking photos?

5 A. Uh-huh.

6 Q. Okay. Any other types of photos the Chicago
7 Police Department had that you would retrieve to use in
8 photo arrays?

9 A. I think -- no. I -- not -- not that I can
10 think of right now.

11 Q. Okay. In what circumstances would you choose
12 to use photos from the IDOC website over using photos
13 from the Chicago Police Department?

14 A. Again, I don't -- I don't recall the -- the
15 reason that was done.

16 Q. Can you think of a scenario where you would
17 want to use IDOC photos as opposed to Chicago Police
18 Department photos?

19 A. I -- I know, at that time, there was -- I
20 think those photos were all named Dixon. I don't know
21 what we were thinking at the time that there was a
22 better thing that our -- our suspect had an alias of
23 Dixon when he was in the penitentiary, and I think maybe
24 we thought it was a -- a good idea to keep all -- all
25 our photos saying Dixon.

1 Q. Okay. So you --

2 A. As long as we were going to use his photo.

3 Q. So you're talking about, in this case, using
4 photos that you retrieved from the IDOC website, and all
5 of the people in the photographs had the last name of
6 Dixon; is that correct?

7 A. Yes.

8 Q. And so was it normal to do a photo array where
9 everybody in the array had the same name?

10 A. It wasn't normal at all, no.

11 Q. Well, in what circumstances could you do a
12 photo array where everyone had the same name?

13 A. Well, you could do it anytime you want.

14 Q. What other cases have you done a photo array
15 where all of the people in the photo array had the same
16 name?

17 A. I can't recall of any -- any.

18 Q. Was it a proper procedure to do a photo array
19 with people who had the same name?

20 MR. STEFANICH: Objection. Form and
21 foundation. You can answer.

22 A. I thought I just answered it. No.

23 BY MR. STARR:

24 Q. Okay. So it was your intention in this case
25 to do a photo array with everyone who had the same name

1 of Dixon; is that correct?

2 A. I don't remember -- recall specifically what
3 the intention was, but that's -- that's what was on
4 there, and there's a good chance that's -- that's what
5 it was, because we did use his picture from IDOC, so we
6 felt we needed all IDOC pictures.

7 Q. How come?

8 A. Just so one didn't stick out from the others.

9 Q. Okay. What other people from IDOC did you use
10 their photos in a photo array in this case?

11 A. People that name -- were named Dixon.

12 Q. Okay. Do you know what their first or last
13 name other than Dixon was?

14 A. I have no idea.

15 Q. Okay. How did you decide to use IDOC photos
16 of people named Dixon in this case?

17 A. I -- again, I'm not positive of why we did it,
18 but I can only guess that because they're all named
19 Dixon and we wanted to use IDOC photo of our suspect,
20 so we should have all IDOC photos, so we -- that's what
21 we did.

22 Q. What other criteria did you use besides the
23 name Dixon and being an IDOC photo to determine what
24 photos to use in that photo array that you're talking
25 about?

1 A. Similar looking people.

2 Q. Okay. What photo array are you talking about
3 right now?

4 A. The one shown in -- to three different people
5 in 2002.

6 Q. Okay. So in the 2002 photo array, you used
7 photos from IDOC; is that correct?

8 A. Yes.

9 Q. And you used six photos in that photo array?

10 A. I think it was seven.

11 Q. Seven photos? Okay. And they were all photos
12 that you got off the IDOC website?

13 A. Yes, one of us did.

14 Q. Do you know whether it was you or your partner
15 that retrieved the photos?

16 A. I do not. I don't know.

17 Q. Okay. What was the policy regarding how to
18 document a photo array?

19 MR. STEFANICH: Objection. Form.

20 MR. BURNS: Foundation.

21 BY MR. STARR:

22 Q. Let me re-ask it. What was the Chicago Police
23 Department policy governing how to document a photo
24 array in 2002?

25 A. If you get a positive identification or even a

1 tentative identification, the photo should be
2 inventoried.

3 Q. So was it a Chicago Police Department policy
4 requirement that you document positive photo arrays as
5 well as negative photo arrays in 2002?

6 A. We were not required to -- at -- at least at
7 that time, we weren't required to inventory negative
8 photo arrays.

9 Q. Did you make it a practice to inventory
10 negative photo arrays in 2002?

11 A. We did not. We did not.

12 Q. Were you required to generate a police report
13 of some sort whenever you conducted a photo array,
14 whether it was positive or negative?

15 A. Yes.

16 Q. Were you required to document what fillers
17 were used in police reports?

18 A. Not for negative.

19 Q. Okay. So in 2002, were you required to
20 document what fillers were used in photo arrays that you
21 conducted where there was a positive identification?

22 A. The inventory would speak for itself,
23 and -- and as far as the names of the -- of the people
24 on the photos?

25 Q. Yeah, and maybe you didn't understand my

1 question. I'm going to rephrase it. I'm not asking for
2 what the inventory would say. I'm asking for what your
3 testimony is. In 2002, were you required to document
4 the names of the fillers that you used when you did a
5 photo array and got a positive identification?

6 A. Not to my --

7 MR. STEFANICH: Just going to object to the
8 form. I think there's a miscommunication on
9 documenting something. I think that's where maybe
10 the issue is, but object to the form. You can
11 answer.

12 A. Document how?

13 BY MR. STARR:

14 Q. In a police report.

15 A. The names of the people on the photos?

16 Q. Let me ask it again. In 2002, were you
17 required to document the names of the fillers that you
18 used in a photo array when you got a positive
19 identification in a police report?

20 A. No.

21 Q. Okay. In 2002, were you required to retain
22 the photos that you used of the fillers when you got a
23 positive identification?

24 A. Yes.

25 Q. What did you do with the photos when you did a

1 photo array in 2002 and got a positive identification?

2 What was your practice?

3 A. Like I said before, inventory the photos into
4 evidence.

5 Q. In this case, when you conducted a photo array
6 in 2002, did you get a positive identification?

7 MR. STEFANICH: Objection.

8 A. Yes.

9 MR. STEFANICH: Asked and answered. You may
10 answer.

11 BY MR. STARR:

12 Q. In the three different photo arrays that you
13 conducted in 2002, you got a positive identification,
14 correct?

15 A. Yes.

16 Q. Okay. Who did you do the first photo array
17 with?

18 A. Terry Rogers.

19 Q. Okay. When did you do that photo array?

20 MR. STEFANICH: Objection. Asked and answered.
21 You can answer.

22 A. It was February of 2002.

23 BY MR. STARR:

24 Q. Okay. And you used the IDOC photos for that
25 photo array, correct?

1 A. Yes.

2 Q. Okay. And what did you do with those photos
3 after you did that photo array?

4 A. They were kept until we were done using them.

5 Q. What do you mean until you were done using
6 them?

7 A. Well, we had other people to show photos to.

8 Q. So after you did a --

9 A. Eventually.

10 Q. -- you did a photo with Terry Rogers in
11 February of 2002, what did you do with the photos?

12 A. They were kept in our possession.

13 Q. Okay. And in that photo array in 2002, who
14 did Terry Rogers identify?

15 A. Mr. Fletcher.

16 Q. Okay. James Fletcher?

17 A. He called him Jimmy Fletcher.

18 Q. Okay. Who was the second photo array that you
19 did?

20 A. Shanee Friend.

21 Q. Okay. And when was that?

22 MR. STEFANICH: Objection. Asked and answered.

23 A. That was in the following month.

24 BY MR. STARR:

25 Q. Okay.

1 A. That was in March.

2 Q. March of 2002?

3 A. Yeah.

4 Q. And did you use the same photos that you used
5 in the February 2002 photo array with Terry Rogers in
6 the March 2002 photo array with Shanee Friend?

7 A. Yes.

8 Q. And what did you do with those and did Shanee
9 Friend make a positive identification?

10 A. Yes.

11 Q. Who did she identify?

12 A. Oh, I'm sorry. Shanee -- I take -- she was
13 the third person that saw those photos. Edward Cooper
14 had seen photos after speaking to Terry Rogers.

15 Q. Edward Cooper spoke to Terry Rogers?

16 A. No -- no -- no. We showed photos to photo
17 group -- that same photo group. We showed that to
18 Edward Cooper after speaking -- speaking with Terry
19 Rogers.

20 Q. Okay. So you did three photo arrays. The
21 first one you did with Terry Rogers, the second one you
22 do with Edward Cooper?

23 A. Yes.

24 Q. And where was that photo array conducted with
25 Edward Cooper?

1 A. I believe that was at his home.

2 Q. And what photo did you use in that photo
3 array?

4 A. The same one that we were -- have been
5 speaking of.

6 Q. Okay. And did Mr. Cooper do a positive
7 identification in 2002?

8 MR. STEFANICH: Objection. Asked and answered.

9 A. Again, he did a tentative identification,
10 saying he wasn't sure.

11 BY MR. STARR:

12 Q. Okay. And then you went and did a photo array
13 with Ms. Friend after that, correct?

14 A. Sometime after that, not the next month.

15 Q. And you used those same set of photos?

16 A. Yes.

17 Q. Okay. So the actual physical photos that you
18 used in the first photo array are the same photos you
19 used for the second and third?

20 A. Yes.

21 Q. You didn't print new copies each time?

22 A. No.

23 Q. Okay. After you did the third photo array,
24 what did you do with the photos that you used in the
25 three photo arrays?

1 A. After the -- after the third one, they were
2 inventoried.

3 Q. Okay. Was a photo of Mr. Fletcher in that
4 inventory?

5 A. Yes.

6 Q. Okay. And do you recall the names of any of
7 the other people that were in the photographs?

8 A. Dixon.

9 Q. Okay, but no first names?

10 A. No.

11 Q. Okay. And why did you choose to -- strike
12 that. Let's take a water break. Five minutes?

13 MR. STEFANICH: Yep.

14 MR. BURNS: Sure.

15 THE VIDEOGRAPHER: We are off the record.

16 (OFF THE RECORD)

17 THE VIDEOGRAPHER: We are back on the record
18 for the deposition of Jerome Bogucki. My name is
19 Kortney Chase. Today is April 20, 2023. The time
20 is 1:38 p.m. Central Time.

21 MR. BURNS: What time is it?

22 THE VIDEOGRAPHER: 1:38 p.m.

23 MR. STEFANICH: It's got to be 2:38, right?

24 THE VIDEOGRAPHER: 2:38 p.m.

25 BY MR. STARR:

1 Q. Okay. Mr. Bogucki, as an area five detective,
2 did you ever suggest to a witness who they should pick
3 from a photo array?

4 A. No.

5 Q. Why not?

6 A. Because it's not the right thing to do.

7 Q. In addition to not being the right thing to
8 do, would it be improper under the Chicago Police
9 Department's policies and practices?

10 A. I'm sure it is.

11 Q. Okay. Any other reason you can think of why
12 it would it be improper to do that?

13 A. You'd lose the identification in court.

14 Q. Okay. Is it also possible that you could
15 implicate the wrong person?

16 A. That I didn't -- what?

17 Q. My question before was did you ever suggest to
18 a witness who they should pick out from a photo?

19 A. No.

20 Q. Right, and you said no. And I'm wondering if
21 one of the reasons why you would never want to do that
22 is because you can potentially implicate the wrong
23 suspect?

24 A. Oh, it sure could.

25 Q. Okay. Did you ever write any false report of

1 an eyewitness identification procedure?

2 A. No.

3 Q. Did you ever fail to document -- strike that.
4 If a witness pointed out somebody who you thought was
5 not the suspect, what would you do?

6 A. If a witness pointed out someone that was not
7 a suspect?

8 Q. Yeah.

9 A. It would -- it would be forgotten.

10 Q. You wouldn't document it?

11 A. You -- you would document that it was a -- it
12 was a negative lineup.

13 Q. I thought you said you didn't document
14 negative lineups though?

15 A. No -- no, I said I did an inventory.

16 MR. STEFANICH: Objection. Misstates his prior
17 testimony. You can answer.

18 A. I said I did an inventory negative lineups.
19 BY MR. STARR:

20 Q. Okay. So was it your practice if you did a
21 photo array and a witness identified somebody who you
22 didn't have as a suspect, you would document that fact?

23 A. Not necessarily. It would just be a negative
24 lineup.

25 Q. Okay. How would you document a negative

1 lineup?

2 A. That it was a negative lineup. That the --
3 the -- the witness failed to identify anyone.

4 Q. Okay. So you would include that information
5 in a report, but you wouldn't include who the witness
6 identified, correct?

7 A. Correct.

8 Q. Okay. Were you ever trained that you should
9 not show up to a photo array with just a single photo
10 and ask a witness if they could identify that person?

11 A. As far as trained, on-the-job training. I
12 know that's -- that's -- that's an immediate loss
13 in -- in court.

14 Q. So how did you learn that in on-the-job
15 training?

16 A. Actually, you can do that under a
17 circumstance -- certain circumstance.

18 Q. What circumstances can you do that?

19 A. You can do that when the person knows the
20 other person.

21 Q. Okay.

22 A. You say, "Is this a person that you know?"
23 You can do that.

24 Q. Have you done that in your career?

25 A. I think so --

1 Q. So if a witness told you they knew who the
2 suspect was, it was your understanding that you could
3 retrieve a photo of that suspect and show that
4 individual photo to that witness, correct?

5 A. Just for purposes of saying -- asking him,
6 "Is this the person you're referring to?"

7 Q. Okay. Did you do that in this case?

8 A. No.

9 Q. Okay. Why not?

10 A. We wanted -- first of all, we want to make
11 sure that he's giving us the right information.

12 Q. He being who?

13 A. I'm sorry, that would be Rogers, Terry Rogers.

14 Q. Okay. So your previous testimony that Terry
15 Rogers told you that he knew Mr. Fletcher, correct?

16 A. Right.

17 Q. And so why did you not show Mr. Rogers an
18 individual photo of Mr. Fletcher to confirm that that
19 was the person he knew to be Mr. Fletcher?

20 A. We probably could have.

21 MR. STEFANICH: Objection. Asked and answered.
22 You can answer.

23 A. We could have, but did not.

24 BY MR. STARR:

25 Q. Why did you choose not to do so?

1 A. Because we wanted to make sure he was telling
2 us the right story.

3 Q. Okay. And you knew, as a seasoned Chicago
4 Police Detective, that identification procedures were an
5 important part of a prosecution, correct?

6 A. Yes.

7 Q. Okay. And you knew that it was important to
8 do them properly because if you did them improperly,
9 they could jeopardize the prosecution, correct?

10 A. Correct.

11 Q. Okay. And you knew that pointing out
12 a photo -- strike that. You knew that showing a witness
13 an individual photo would be an inherently unreliable
14 identification, correct?

15 MR. STEFANICH: Objection. Form. Foundation.
16 Asked and answered. You can answer.

17 A. It would be a very -- yes, it would be
18 improper, totally improper.

19 BY MR. STARR:

20 Q. And in this case, you didn't show Terry Rogers
21 an individual photo because you were concerned that it
22 would be an unreliable identification?

23 A. We wanted to make sure of his reliability.

24 Q. Okay. So is that a yes?

25 MR. STEFANICH: Objection. Form.

1 A. That was my answer.

2 BY MR. STARR:

3 Q. Did you -- strike that. You said you could
4 have shown Mr. Rogers an individual photo, in your
5 opinion, in this case of Mr. Fletcher? That would've
6 been okay in your opinion, correct?

7 A. It could have been okay, let me put it that
8 way.

9 Q. Okay.

10 A. I -- I'd rather we -- we decided it was
11 a -- best to show a photo array.

12 Q. And you didn't show him a single individual
13 photo of Mr. Fletcher because you thought that would be
14 unreliable in terms of identification, correct?

15 MR. STEFANICH: Objection. Asked and answered.
16 You can answer again.

17 A. It's -- it was possible it could have been
18 unreliable, but we wanted to make sure.

19 BY MR. STARR:

20 Q. Were you ever trained that you should not
21 improperly or unduly influence an identification
22 procedure that you were conducting?

23 A. Yes.

24 Q. When were you trained on that subject?

25 A. I have no idea.

1 Q. Did a supervisor ever instruct you to not
2 unduly influence an identification procedure?

3 A. It's -- it's some -- it's something that
4 doesn't need instruction.

5 Q. Why not?

6 A. Because it's -- you know what the right thing
7 to do is.

8 Q. And you never in your career improperly
9 influenced a witness in an identification procedure; is
10 that correct?

11 A. Never did.

12 Q. As the Chicago Police Department Area 5
13 detective, did you ever witness another police officer
14 suggest to witness who they should pick from a photo
15 array?

16 A. No.

17 Q. As an Area 5 Chicago Police Detective, did you
18 ever witness another police officer unduly influence any
19 kind of identification procedure involving a witness?

20 A. No.

21 MR. STEFANICH: Objection. Form.

22 BY MR. STARR:

23 Q. I'm going to show you what I'm going to mark
24 as Exhibit number 1.

25 (EXHIBIT 1 MARKED FOR IDENTIFICATION)

1 THE REPORTER: You've done this exhibit.

2 BY MR. STARR:

3 Q. Oh, you're right. I forgot I gave you those.
4 Bear with me here. My exhibits are a little out of
5 order. Sorry about that. It's been a while since I've
6 done an in-person depo, they're all on Zoom and it's a
7 lot easier to just pull the document up. Here you go,
8 sir. This is what I'm going to mark as Exhibit number
9 1, and for the record, it's Bates City-JF-164. Take a
10 moment to review that, please, sir.

11 A. Okay.

12 Q. Did you have enough time to look at that, sir?

13 A. I see them.

14 Q. Okay. Have you seen this document before,
15 sir?

16 A. Yes.

17 Q. Did you review this document in preparation
18 for today's deposition?

19 A. I believe I saw this picture, yeah.

20 Q. Okay. So this is not a police report,
21 correct?

22 A. No, this is a photo.

23 Q. Okay.

24 A. A copy of a photo.

25 Q. Right. And so earlier, when I asked you what

1 you reviewed in preparation for today's deposition, you
2 talked about police reports. You also reviewed this
3 particular photo, correct?

4 A. Yes.

5 Q. Okay. Did you review any other photos in
6 preparation for today's deposition?

7 A. I looked at whatever was in the file.

8 Q. All right. For the record, can you tell me
9 what this photograph is, sir?

10 A. It's an Illinois Department of Corrections
11 photo of Arnold Dixon.

12 Q. Okay. And do you see -- is there any
13 identifying information on this photograph as to who
14 retrieved this photo?

15 A. Not that I see.

16 Q. Is this the IDOC photo that you retrieved of
17 James Fletcher, or in this case it says his name is
18 Arnold Dixon, in 2002 when you were doing the photo
19 array?

20 A. One of us did, yeah.

21 Q. Okay. Do you don't know if you printed this
22 off the IDOC website or --

23 A. I do not.

24 Q. -- or if your partner did? Okay. And do you
25 know when this photo was retrieved from the IDOC

1 website?

2 A. I believe it was right after talking to Terry
3 Rogers in 2002.

4 Q. Okay. And who did you show this photograph
5 to, sir?

6 A. We showed this -- these -- this was part of a
7 group that was shown to the three people we were talking
8 about earlier.

9 Q. The three witnesses that you talked about
10 earlier, is that what your testimony is?

11 A. Yes.

12 Q. Okay. And this is the form of the photograph
13 that's shown to the individuals?

14 A. I'd have to see the inventory to be sure what
15 form it was.

16 Q. And did you show this to Terry Rogers on
17 February 12, 2002?

18 A. I think so -- I think that was the date, yes.

19 Q. So it's your testimony that this is the IDOC
20 photograph of Mr. Fletcher that you use in your photo
21 array, correct?

22 A. I believe it is.

23 Q. Okay. Do you have an independent recollection
24 of that?

25 A. If I saw the inventory, I could be sure.

1 Q. Okay. Well, I'm asking if you have an
2 independent recollection of this photograph as being the
3 photograph that you showed the witness --

4 A. Every -- everything's according to reports in
5 the file.

6 Q. Okay. We were just talking over each other a
7 little bit. I just want to make sure that the record's
8 clear, okay? You started answering before I was done
9 with my question. I just want to make sure that we get
10 a clear record. So do you have an independent
11 recollection of whether or not this is the photograph
12 that you retrieved from the IDOC website and showed to
13 the witnesses in this investigation?

14 MR. STEFANICH: Objection. Form.

15 Mischaracterizes prior testimony. You can answer.

16 A. If I saw the inventory, I'd be sure.

17 BY MR. STARR:

18 Q. But as you sit here today, you're not sure?

19 A. I can't -- I can't be sure, because I don't
20 see the inventory.

21 Q. Okay. And is it improper to show -- strike
22 that. During a Chicago Police Department photo array,
23 would it be improper to show a witness a photograph with
24 any additional identifying information about the
25 individual in the photograph?

1 A. You know what? It's -- it had never come up,
2 so I -- I can't say it's improper.

3 Q. Okay. But in this case, you did it, correct?

4 A. In this case, it looks like we did.

5 Q. Okay. Did you ever do it in any other case
6 besides this one?

7 A. I don't remember that, no, I don't recall ever
8 doing it.

9 Q. Okay. You can keep that to your side there
10 for a second. We're going to look at it again, but I'm
11 going to show you some other documents here, sir, and as
12 I get these other documents together, just to make, make
13 sure the record is clear. So in this case, you showed
14 the three witnesses, Mr. Rogers, Mr. Cooper,
15 and Ms. Friend, this photograph as it's constituted
16 today, correct?

17 A. It -- it appears to be this photograph. Again,
18 if I saw the inventory, I'd be absolutely sure, but it
19 does appear that way.

20 Q. Would you have printed it off in black and
21 white or did you have a color printer in 2002?

22 A. You know what? I don't know.

23 Q. Okay. You have no recollection of whether or
24 not you ever printed anything in color?

25 A. I -- I -- I don't recall.

1 Q. Okay. And the other photographs of the other
2 IDOC people that you allegedly showed these witnesses,
3 they also were similar to this one in the sense that
4 they said Illinois Department of Corrections and they
5 said the inmate number and the name; is that correct?

6 A. Yes.

7 Q. Do you think that there's anything improper
8 with showing a witness a photograph during a photo array
9 with the name of the suspect on the photograph?

10 MR. STEFANICH: Objection. Form. You can
11 answer.

12 A. Certainly not in this situation.

13 BY MR. STARR:

14 Q. Not in this situation. It wasn't improper?

15 A. No, because they're all the same last name and
16 they're all an alias or it's an alias to Mr. Fletcher.

17 Q. So the fact that this is an alias that Mr.
18 Fletcher used, made it okay for you to show the witness
19 a photograph with the name attached to it?

20 A. I don't see a problem with it.

21 Q. Okay. This next exhibit, I'm going to mark as
22 Exhibit number 2. And for the record, the Bates is
23 City-JF-4550. And it's a group exhibit. It's 4550
24 through 4565. Here you are, sir. Take a minute to look
25 through those. It's a series of photographs. Let me

1 know when you're done looking at it and we can talk
2 through a little bit. Have you had an opportunity to
3 review them?

4 (EXHIBIT 2 MARKED FOR IDENTIFICATION)

5 A. Okay. Yeah, I looked at them.

6 BY MR. STARR:

7 Q. Did you review these photographs in
8 preparation for today's deposition, sir?

9 A. I -- I don't know. They're -- they're not --

10 Q. You don't recall?

11 A. No.

12 Q. If I represent to you, these are photographs
13 from the investigative file, does that refresh your
14 recollection of whether or not you reviewed them in
15 preparation for today?

16 A. I don't know if I saw these or not.

17 Q. Okay. Do you know if you've ever seen these
18 photographs before, sir?

19 A. I have no -- I -- I don't know.

20 Q. All right. Can you identify any of the people
21 in these photographs?

22 A. It -- I -- I -- I don't know for sure. No.

23 Q. Okay.

24 A. This top one looks like it could be a Polaroid
25 photo. I -- I'm not sure, but I'm not sure who -- who

1 anybody is.

2 Q. Okay. Can you tell me, do you know what a
3 Bates stamp is sir? The number at the bottom here?
4 All the individual --

5 A. Okay.

6 Q. -- Bates stamp individual number. Can you
7 tell me by Bates stamp which of these photos you showed
8 to Mr. Rogers?

9 A. No, I can't tell you.

10 MR. STEFANICH: I'm going to object. Form.

11 Objection. Form.

12 A. No, I can't tell you that.

13 BY MR. STARR:

14 Q. Okay. Can you tell me by Bates stamp which of
15 these photographs you showed to Mr. Cooper?

16 MR. STEFANICH: Objection. Form. Foundation.

17 You can answer.

18 A. No, I can't tell you that.

19 BY MR. STARR:

20 Q. Can you tell me by Bates stamp which of these
21 photographs you showed to Ms. Friend?

22 MR. STEFANICH: Objection. Form. Foundation.

23 You can answer.

24 A. I don't know if I showed any of these photos
25 to any of these people.

1 BY MR. STARR:

2 Q. Okay. Can you tell me by Bates stamp any of
3 these photos that you showed to Mr. Wade?

4 A. I don't think we showed any photos to
5 Mr. Wade.

6 Q. Okay. You did not do a photo array with
7 Mr. Wade at any point in time?

8 A. I'm not recalling that.

9 Q. It's possible. You just don't know.

10 A. No, I don't think I did.

11 Q. And does seeing these photos refresh your
12 recollection at all about anything you did during the
13 Sorrell investigation?

14 A. No.

15 Q. Are any of these photographs, the photographs
16 that you used in any of the photo arrays that you did in
17 2002?

18 A. No, I believe they're all IDOC photos.

19 Q. Okay. So none of these are photographs that
20 you used in your photo array that you did in 2002,
21 correct?

22 A. I don't believe so --

23 Q. Okay. Earlier you testified that Mr. Rogers
24 told you that he knew Mr. Fletcher, correct?

25 A. Yes.

1 Q. Okay. How did you get the name Dixon? Where
2 did you get the name Dixon from, sir?

3 A. Looking through the arrest of James Fletcher,
4 we found that through IR number -- the IR number doesn't
5 change, it's -- it goes with fingerprints. Through the
6 IR number, we found out that he was under the name of
7 Arnold Dixon in the Illinois State Penitentiary.

8 Q. He was under the name Dixon when he was in
9 prison with Mr. Rogers?

10 A. No, I didn't say that.

11 MR. STEFANICH: Objection.

12 BY MR. STARR:

13 Q. Do you know that?

14 MR. STEFANICH: Mischaracterizes his testimony.

15 A. No, I don't.

16 MR. STEFANICH: Objection. Mischaracterizes
17 his testimony. Can you just wait for me to object?

18 THE WITNESS: I'm sorry.

19 BY MR. STARR:

20 Q. Do you know whether or not he was under the
21 name Dixon when he was allegedly in prison with
22 Mr. Rogers?

23 A. No, I don't.

24 Q. Okay. And you still thought it was proper to
25 show Mr. Rogers a photo array with his name on it,

1 correct?

2 A. I didn't see a problem, no.

3 Q. So you don't know whether or not he went by
4 Arnold Dixon when he was in prison with Mr. Rogers,
5 correct?

6 A. Yeah, if -- if I'm not mistaken, I only saw on
7 his rap sheet Arnold Dixon one time, which would mean
8 the answer would be it wouldn't have been.

9 Q. Why would that be the answer based on seeing
10 his name Arnold Dixon on the rap sheet one time?

11 A. Because that's the only time it looked like he
12 used Arnold Dixon.

13 Q. So he was incarcerated at some point in IDOC
14 under the name Arnold Dixon because you have a
15 photograph in the investigative file with that name,
16 correct?

17 A. Question is again?

18 Q. Mr. Fletcher was incarcerated in IDOC with the
19 name Arnold Dixon at some point, because you have a
20 photograph that you testified you've seen and that you
21 used in the investigative file, correct?

22 A. Yeah, it was current. The current
23 incarceration.

24 Q. Okay, so at some point in time Mr. Fletcher
25 was in IDOC with the name Arnold Dixon, correct?

1 A. Yes.

2 Q. And can you tell me that you unequivocally
3 know yes or no that during that time that he was
4 incarcerated under the name Arnold Dixon, he was in
5 prison with Mr. Rogers?

6 A. I -- I can't say that for sure. No.

7 Q. Okay. So you don't know if Mr. Dixon -- I'm
8 going to strike that. You don't know if Mr. Fletcher
9 was incarcerated under the name Mr. Dixon at the same
10 time he was in prison with Mr. Rogers, right?

11 A. I do know that Terry Rogers knew his real
12 name, so I don't know if he would be concerned of what
13 name he was under.

14 Q. That wasn't my question, though.

15 A. I know.

16 Q. My question is: You don't know one way or the
17 other if Mr. Fletcher was in prison with Mr. Rogers and
18 was using the name Arnold Dixon, correct?

19 A. I don't know that for sure, no.

20 Q. Okay. And yet you showed Mr. Rogers a photo
21 array with a photograph of Mr. Fletcher with the name
22 Arnold Dixon written on it, correct?

23 MR. STEFANICH: Objection. Asked and answered.
24 You can answer again.

25 A. That's correct.

1 BY MR. STARR:

2 Q. You don't think there's anything improper
3 about that particular identification procedure?

4 A. I don't

5 MR. STEFANICH: Objection. Asked and answered.
6 You can answer again.

7 A. I do not.

8 BY MR. STARR:

9 Q. Did you ever ask Mr. Rogers if Mr. Fletcher
10 had any aliases?

11 A. No, I did not.

12 Q. Okay.

13 A. Not that I recall. Let me put it that way.

14 Q. You previously testified that you also did a
15 photo array in 1995, correct?

16 A. Yes.

17 Q. What photos did you use for the photo array in
18 1995?

19 A. Don't have any memory of that.

20 Q. Who did you show a photo array in 1995?

21 MR. STEFANICH: Objection. Asked and answered.
22 You can answer again.

23 A. Mr. Cooper.

24 BY MR. STARR:

25 Q. Where was Mr. Cooper when you showed him a

1 photo array in 1995?

2 A. I believe he was at his home. I could be
3 wrong, but I believe so --

4 Q. How did you go about retrieving the photos you
5 used for the photo array that you did with Mr. Cooper in
6 1995?

7 A. I didn't have to retrieve them. They were in
8 my possession.

9 Q. How'd they come in your possession?

10 A. I'm not sure which photos it was. They were
11 Chicago Police Department photos, though.

12 Q. So you believe that the photo array that you
13 did in 1995 and had Chicago Police Department photos?

14 A. I believe so --

15 Q. Strike that. Let me ask that --

16 A. Again, I'm not positive.

17 Q. My question was poorly phrased. Let me
18 rephrase it. I apologize. It's your testimony today
19 that the photos that you used for the 1995 photo array
20 that you allegedly showed Mr. Cooper were Chicago Police
21 Department photos, correct?

22 A. I believe so --

23 Q. How did it come to be that you had those
24 photos in your possession, sir?

25 A. I have no idea.

1 Q. When did you first interview Mr. Rogers?

2 A. It would've been in February of 2002.

3 Q. Did you show Mr. Rogers the same set of
4 photographs that you showed Mr. Cooper in 1995?

5 MR. STEFANICH: Objection. Asked and answer.
6 You can answer again.

7 A. No.

8 BY MR. STARR:

9 Q. Why not?

10 A. It was a negative lineup.

11 Q. Right, but a negative lineup suggests that the
12 witness can identify the person in the lineup, correct?

13 A. That's correct.

14 Q. Why would you choose to use different photos
15 to show another witness? Why wouldn't you use the same
16 set of photos?

17 A. Because the person that Terry Rogers said was
18 one of the -- the offenders was not in that photo group.

19 Q. So you're saying that the photo array that you
20 did in 1995 did not include Mr. Fletcher?

21 A. That's correct.

22 Q. But you don't remember which photos you used?

23 A. I remember one photo.

24 Q. What photo was it?

25 A. It was somebody named Clinton Fletcher.

1 Q. Okay.

2 A. Or Fletcher Clinton. I -- I take that back.
3 Fletcher Clinton.

4 Q. So you used a photograph of somebody named
5 Fletcher Clinton that was a Chicago Police Department
6 photo?

7 A. I believe it was.

8 Q. Okay. But you don't know who any of the other
9 people were in those photos, correct?

10 A. No, I don't.

11 Q. Do you know if there's a photograph of
12 Fletcher Clinton in the investigative file?

13 A. I do not know.

14 Q. What did you do with the photograph of
15 Fletcher Clinton after you showed Mr. Cooper?

16 A. I don't know. It was of no value.

17 Q. Did you have any obligation to document that
18 photograph or retain that photograph after you showed
19 with Mr. Cooper and he was unable to identify --

20 MR. STEFANICH: Objection. Form.

21 BY MR. STARR:

22 Q. -- Mr. Clinton as the suspect?

23 MR. STEFANICH: Sorry, Sean. Objection. Form.

24 You can answer.

25 A. Are you talking about the 1995?

1 BY MR. STARR:

2 Q. Yeah. The one you just were identifying.

3 A. Or Fletcher Clinton?

4 Q. Yeah. Did you have any obligation to document
5 or retain the photograph of Fletcher Clinton that you
6 allegedly showed Mr. Cooper in 1995?

7 A. We documented that he did not identify him and
8 did not inventory it.

9 Q. You knew that there was -- strike that. How
10 did you know that someone with the name Fletcher was
11 associated with this case?

12 MR. STEFANICH: Objection. Asked and answered.

13 You can answer again.

14 A. Okay. In the 1990 investigation as we looked
15 at it, Terry Rogers made a statement that one of the
16 offenders called the other Fletcher.

17 BY MR. STARR:

18 Q. So you learned that information by reviewing
19 the file when you first got assigned to the case?

20 A. Yes.

21 Q. Okay. And what investigative steps did you
22 take to follow up on that piece of information?

23 A. Looking for people with the name of Fletcher.

24 Q. Okay. How did you look for people with the
25 name of Fletcher?

1 A. Just through name check avenues that the
2 police department supplied.

3 Q. Do you know the name of the system that you
4 would use to do a name check for --

5 A. I can't --

6 Q. -- for the name Fletcher?

7 A. I can't remember.

8 Q. But it was an online or electronic system that
9 you could search by name; is that correct?

10 A. Yes.

11 Q. Was it ICAM?

12 A. I don't know.

13 Q. Okay.

14 A. I think in '95, I don't know if ICAM was even
15 around.

16 Q. Okay. Any other search engine that you
17 would've used as a Chicago police officer in 1995?

18 A. Whatever searches were available to us, let me
19 put it that way.

20 Q. Okay. Let me show you another exhibit here.
21 This one's easier to find because it's more than one
22 single page. I'm going to mark this as Exhibit number 3
23 for the record. It's Bates stamp 86 through 96. Take an
24 opportunity to review that. I'm going to ask you some
25 questions about it in a second here, sir. Yeah. When

1 you get a certain age you start talking louder. It's
2 happening to the best of us. You have an opportunity to
3 review that, sir?

4 (EXHIBIT 3 MARKED FOR IDENTIFICATION)

5 A. Yes.

6 BY MR. STARR:

7 Q. Okay. And is this one of the name searches
8 you ran on Mr. Fletcher?

9 A. I -- I don't know who ran it. Somebody ran
10 it.

11 Q. Okay. Have you seen this document before?

12 A. I think I've saw it in the file.

13 Q. Okay. And did you review this in preparation
14 for today's deposition?

15 A. I think I looked at it.

16 Q. Is this a Chicago Police Department name
17 search document?

18 A. It's some type of name search document, yeah.

19 Q. And are you familiar with Chicago Police
20 Department search engine enough to know to say that this
21 is a document that looks like what a Chicago police
22 search engine --

23 A. Yes, it is. It's -- it's a search engine we
24 were ac -- had access to.

25 Q. Okay. So this is a name search of Fletcher

1 that was done in 1995 when you started on the case?

2 A. I don't know when this is from, there's no
3 date on it. It's a good bet, but I don't know.

4 Q. It's a good bet that this is a name search
5 that was done.

6 A. It -- it's -- it's -- it's got to be for
7 either. I -- I don't know.

8 Q. Let me just finish my question.

9 A. I -- okay.

10 Q. Sorry. So it's a good bet that this was a
11 name search that was done when you first started working
12 on the case in 1995?

13 A. I don't know if it's a good bet or not.
14 I -- I mean, I can't tell when this was done.

15 Q. Did you run name searches on Mr. Fletcher in
16 2002?

17 A. No, I would say we just did the search for
18 James Fletcher.

19 Q. Okay. And would that be a name search or
20 would it be a criminal history search?

21 A. Criminal history.

22 Q. Okay. So if you didn't do a name search on
23 Fletcher in 2002, is it safe to assume that this is a
24 name search that was done when you first started working
25 on the case in 1995?

1 A. Most likely then, yes.

2 Q. Okay.

3 A. There were also some name searches I noticed
4 in the file that from '98.

5 Q. Well I'll you they're from '99, but we'll take
6 a look at those two.

7 A. Okay.

8 Q. Okay. And so it's your testimony that you did
9 do a name search on Fletcher in 1995, correct?

10 A. Someone did.

11 Q. Okay.

12 A. There was four of us looking at this and --
13 and we actually got the name of Fletcher Clinton from
14 Detectives McDonald and Rutherford. So I'm guessing
15 they found that name.

16 Q. Okay.

17 A. Otherwise I wouldn't have wrote it that way.

18 Q. When you say there were four of us looking at
19 this, was it was you and Detective Schalk and then
20 Detectives Rutherford and McDonald?

21 A. Yes, we're working with them also at that
22 time.

23 Q. Okay. So my original question was: Somebody
24 working on the Sorrell investigation ran a name search
25 in 1995, correct?

1 A. Yes.

2 Q. And you would've been aware of this name
3 search that was ran in 1995 as the detective on the
4 case, correct?

5 A. I've at least been aware of it, yes.

6 Q. Okay. I don't think I asked this earlier.
7 Were you the lead detective on this investigation in
8 1995?

9 A. There's no lead detective.

10 Q. Okay. Was that not a term that was used in
11 Area 5?

12 A. No.

13 Q. During your tenure?

14 A. No.

15 Q. Okay. Were you the primary detective on this
16 case in 1995?

17 A. Again, there was four of us looking at old
18 cases. So there's -- there's no assigning. This is an
19 old case. It's -- it's like it wasn't assigned. It was
20 something we picked up.

21 Q. Right. But I think I saw Detective
22 Rutherford's name mentioned on one report. I don't
23 think I saw Detective McDonald's name mentioned. You
24 were the detective. You and Detective Schalk and
25 Detective Noradin were the primary detectives on the

1 reports on this case; is that not correct?

2 MR. STEFANICH: I'm going to object to the
3 form. You can answer.

4 A. In 2002.

5 BY MR. STARR:

6 Q. In 2002. What about in 1995, who were the
7 primary detectives investigating this case in 1995?

8 A. I don't think Noradin was working with us at
9 that time.

10 Q. That's fair. So it was you and Detective
11 Schalk primarily working on this case in 1995, correct?

12 A. And Rutherford and McDonald.

13 Q. And one of the four of you did a name search
14 on Fletcher and came up with this document, correct?

15 A. That would be -- that would most likely be
16 correct.

17 Q. Okay. Taking you back to the previous
18 questions, that line of questions I had about the IDOC
19 photo; what did you do to confirm that Mr. Fletcher and
20 Mr. Rogers were in prison contemporaneously with one
21 another?

22 MR. STEFANICH: Objection. Asked and answered.
23 You can answer again.

24 A. What did -- what would -- what did we do?
25 We -- I don't know. I don't know if we confirmed it or

1 not.

2 BY MR. STARR:

3 Q Okay. And if I asked that previously, I
4 apologize.

5 MR. STEFANICH: Yeah, you did.

6 BY MR. STARR:

7 Q I don't remember asking it. It's at the
8 beginning. Okay. So you, you don't have any
9 recollection of doing anything to confirmed that
10 Mr. Fletcher and Mr. Rogers were in IDOC at the same
11 facility at the same time, correct?

12 A. Correct. We had no reason to believe
13 otherwise.

14 Q. Okay. All right. So taking a look at this
15 document, if you look at this document, you said there's
16 no information on about when this document was produced,
17 correct?

18 A. I don't see it.

19 Q. Okay. But it's your understanding it was
20 produced in 1995, right?

21 A. It would be my guess. It's not my
22 understanding.

23 Q. Okay. If you look at this document, there
24 appears to be a number of names that have. This is a
25 computer printout, but there appears to be a number of

1 names on the computer printout that also have a little
2 pen or maybe pencil -- I'm not sure -- circle next to
3 him. Do you see that, sir? The first one on the first
4 page is Maurice Fletcher, the first name. Do you see
5 that little squiggle next to his name?

6 A. I see a mark.

7 Q. Okay.

8 A. I don't know what that is.

9 Q. You see a little mark next to Maurice Fletcher
10 on Bates Stamp 86, correct?

11 A. Yeah.

12 Q. Okay, let's turn the page to Bates stamp 87.
13 Do you see a little circle or a little mark next to the
14 name Mose Fletcher on Bates stamp 87?

15 A. I do.

16 Q. Okay. And if you turn the page to Bates stamp
17 88, do you see a little circle or squiggle next to the
18 name Devery Fletcher at the top there?

19 A. Yes.

20 Q. And do you see also a little marker squiggle
21 next to the name Henry Fletcher?

22 A. I do.

23 Q. Okay. And then if you turn to 89, there's two
24 more little squiggles or little marks. One is next to
25 Curtis Fletcher. Do you see that, sir?

1 A. I do.

2 Q. And then there's one next to Terry Fletcher.

3 Do you see that, sir?

4 A. I do.

5 Q. Okay. And then if you turn the page to page

6 90, there's two more and one is next to Anthony

7 Fletcher. Do you see that, sir?

8 A. Yes.

9 Q. And then one is next to Ronald Fletcher.

10 Do you see that, sir?

11 A. Yes.

12 Q. All right. And then if you turn the page to

13 page 91, Bates stamp 91. There's one, it's the first

14 one at the top. It's under next to Robert Fletcher's

15 name. Do you see that, sir?

16 A. I do.

17 Q. Okay. And then if you turn to Bates stamp 92,

18 there's another one, it's the second from the bottom,

19 it's Darnell Fletcher. Do you see that little squiggle

20 next to Darnell Fletcher's name?

21 A. I do. Yes, I do.

22 Q. Okay. And then if you turn to Bates stamp 93,

23 there is two. There's one next to Charles Fletcher. Do

24 you see that, sir?

25 A. Yeah.

1 Q. And there's one next to Antonio Fletcher. Do
2 you see that?

3 A. I do.

4 Q. Okay. And then if you turn to Bates stamp 94,
5 there's no squiggles. Do you see there's no squiggles
6 on that page, sir?

7 A. Uh-huh. I do.

8 Q. Excellent. And if you turn to Bates stamp 95,
9 there's no squiggles. Do you see no squiggles on that
10 page, sir?

11 A. Yes.

12 Q. Okay. And then if you turn to the last page,
13 96, do you see there's a squiggle next to Derell
14 Fletcher? The very last one on the list, sir?

15 A. Yes.

16 Q. Okay. Do you know what those little marks
17 indicate, sir?

18 A. I don't know for sure. It doesn't look like
19 something that -- a marking that I've ever done, but I
20 could guess.

21 Q. What do you think it means, sir?

22 MR. STEFANICH: You can answer.

23 A. Maybe those were the photos that were shown to
24 Mr. Cooper in '95.

25 BY MR. STARR:

1 Q. Okay. So you think that possibly these are
2 the other Fletcher that were shown to Mr. Cooper?

3 A. It could be.

4 Q. In 1995.

5 A. It could be.

6 Q. Is that your best guess?

7 A. Pardon?

8 Q. Is that your best guess?

9 A. It's just a guess.

10 Q. Okay.

11 A. Yeah.

12 Q. Well, do you have any other interpretations of
13 what those squiggles could necessarily mean?

14 A. No. If I had to guess, that's what I would
15 say.

16 Q. Okay. And I honestly didn't do this on
17 purpose, but I did miss one, and it's on page 87; if you
18 look back on page 87.

19 A. Okay. All right.

20 Q. I literally didn't do this intentionally, but
21 I did overlook one. It's on 87. It's a squiggle next
22 to James Fletcher. Do you see that, sir?

23 A. Let's see.

24 MR. STEFANICH: It's an incomplete squiggle.

25 THE WITNESS: A what?

1 BY MR. STARR:

2 Q. Yeah, it's a little circle next to Mr. James
3 Fletcher is the third from the top. Do you see that,
4 sir?

5 A. Which page is this?

6 Q. Bates stamp 87.

7 MR. STEFANICH: Second page.

8 A. I see that.

9 BY MR. STARR:

10 Q. Okay. And do you see the left-hand column has
11 at the top, it's listed as a column that's described as
12 "IRNBR"; do you see that?

13 A. Yes. The IR number?

14 Q. Yeah. What does that indicate, sir?

15 A. That would indicate that that's the -- no
16 matter what name that person uses, that's --
17 fingerprints would come up to that number.

18 Q. Okay, so that's a Chicago Police Department
19 number, that internal documentation number?

20 A. Yes.

21 Q. Okay. And so no matter how many times you're
22 arrested, your fingerprints are linked to the same IR
23 every single time; is that correct?

24 A. Yes.

25 Q. Okay. And so the IR for James Fletcher here

1 is 0966425. Do you see that, sir?

2 A. Yes.

3 Q. Okay. And if you compare that to Exhibit
4 number 1, which I have misplaced. Thanks, Terry.

5 Is there an IR number on this page, sir?

6 A. I don't see one.

7 Q. Okay. And then the next column, there's a
8 letter and it looks like it's either "Y" or "N"; do you
9 see that, sir?

10 A. On the next page after --

11 Q. No, same page. We're staying on page 87.

12 A. Okay.

13 Q. And do you see that the next column after the
14 IR number is a column that has an "Y" or "N", which I
15 assume means yes or no, but I don't know for a fact.
16 Do you see that column, sir?

17 A. I see that column. I'm not sure what it
18 means.

19 Q. It's under the heading of "AFIS".

20 A. Oh, is he in -- that probably -- I -- I guess
21 that means is he in AFIS or is he not?

22 Q. Okay. And can you tell me for the record what
23 AFIS is, sir?

24 A. It's a -- it is a fingerprint -- I think it's
25 a national fingerprint file.

1 Q. Okay. And this one seems to indicate that
2 Mr. James Fletcher, with IR number 966425, is in AFIS,
3 correct? Based on the "Y"?

4 A. If that's what we understand that means, yes.

5 Q. Okay. And then if you follow, there's the
6 last name and then the first name, and then there's a
7 race and there's a number "1". Do you know what that
8 race stands for?

9 A. Male black.

10 Q. Okay.

11 A. Or it means black.

12 Q. And then there's a date of birth in the next
13 column there. Do you see that, sir?

14 A. Yes, I do.

15 Q. And that date of birth for this Mr. James
16 Fletcher, is March 30, 1963, correct?

17 A. Yes.

18 Q. Okay. And then next column is, "Stop".
19 Do you know what -- do you see that final column?

20 A. Yes.

21 Q. What does that indicate?

22 A. I'm not sure if that's for stop order or --
23 I -- I don't know for sure.

24 Q. Okay. So if these are the photographs that
25 were shown to Mr. Cooper in 1995, that means that a

1 photograph of someone named James Fletcher was shown to
2 Mr. Cooper, correct?

3 MR. STEFANICH: Objection. Form. Foundation.
4 You can answer.

5 A. If indeed that's what it means. I really
6 don't know.

7 BY MR. STARR:

8 Q. Well, what else could this name search in
9 these squiggles indicate, other than these were the
10 photos that were used in a photo array in 1995, sir?

11 MR. STEFANICH: Objection. Form. Foundation.
12 You can answer.

13 A. I -- I really don't know. I -- I -- I -- I
14 know that I don't ever remember making those kind of
15 marks myself, so if I don't -- I don't know that Schalk
16 does either, but maybe McDonald and Rutherford did.
17 I don't know.

18 BY MR. STARR:

19 Q. Well, would making a little circle next to a
20 name be something you would remember 20 plus years
21 later?

22 A. I don't remember doing something like that.

23 Q. Okay. Do you think that's something that you
24 would likely remember, writing a little circle next to a
25 name?

1 A. Well, usually you do things as a habit.
2 I would -- something like this, I would put check marks.

3 Q. Well, I asked you a whole bunch of practice
4 questions and you didn't remember what your practice was
5 exactly, correct?

6 MR. STEFANICH: Objection.

7 A. Say that again?

8 BY MR. STARR:

9 Q. I asked you a number --

10 MR. STEFANICH: Objection. Form,
11 mischaracterizes his former testimony. You can
12 answer.

13 BY MR. STARR:

14 Q. I've asked you -- go ahead. You can answer.
15 Go ahead. Sorry.

16 MR. BURNS: What's the question here?

17 THE WITNESS: I don't know.

18 BY MR. STARR:

19 Q. I'll rephrase it. Yeah. I've asked you a
20 number of questions about your practice that I believe
21 you indicated you couldn't remember exactly what your
22 practice was. Isn't that right?

23 MR. STEFANICH: Objection.

24 A. As far as marks?

25 MR. STEFANICH: Objection. Hold on.

1 THE WITNESS: Okay.

2 MR. STEFANICH: Objection. Form.

3 Mischaracterizes his former testimony. You can
4 answer.

5 A. As far as marks on paper, you asked me?

6 BY MR. STARR:

7 Q. No, just as far as your practice as a Chicago
8 Police Department homicide detective.

9 A. Oh, I can -- I can tell you some things. Yeah.

10 Q. Sure. But there's other things you don't
11 remember what your practice was, correct?

12 A. I don't remember a practice like this.

13 Q. Okay. That's fair. So you don't remember if
14 you made squiggles next to names in 1995, correct?

15 A. These are -- these are little circles.

16 Q. Okay. You don't remember if you made little
17 circles next to names on --

18 A. I -- no, I don't remember ever doing it, is
19 the proper answer.

20 Q. Okay. You can't say whether or not you did in
21 fact do this, correct?

22 MR. BURNS: I'm going to object to the form of
23 that question. That's a double negative in there,
24 so I'm lost on that. Excuse me. You want to hear
25 it again, or do you want to ask it again?

1 MR. STARR: No.

2 MR. BURNS: Do you remember the question?

3 I'm sorry.

4 A. I don't remember ever making marks like that
5 next to names.

6 BY MR. STARR:

7 Q. So you don't remember making it, I understand
8 that, but you can't say unequivocally that you did not
9 make those marks next to those names, correct?

10 A. I can't even remember who brought this paper
11 up.

12 Q. And that's fair. And I don't want you to try
13 to remember something you don't remember. And my
14 question though is: You cannot tell me as you sit here
15 today, that you in fact did not make those marks?

16 MR. BURNS: Objection. Form.

17 BY MR. STARR:

18 Q. Correct?

19 A. I can't tell you one way or another. Yes.

20 Q. The date of birth on there, do you know if
21 that's the same date of birth as Mr. Fletcher?

22 A. I -- I don't know.

23 Q. You could refer to the IDOC Exhibit number 1,
24 appears to be the same date of birth, correct?

25 A. It does appear that way.

1 Q. Okay. And the way we can cross check it to
2 make sure that it's Mr. Fletcher --

3 A. By the IR number.

4 Q. It's by the IR number, correct? Okay.
5 We'll do that right now.

6 MR. STARR: All right. And four?

7 THE REPORTER: Yes.

8 MR. STARR: Okay. For the record, been marked
9 as Exhibit number 4, and it's Bates City-JF-149.
10 Take a look at that one page document, sir, and let
11 me know when you're ready to answer some questions
12 about it.

13 (EXHIBIT 4 MARKED FOR IDENTIFICATION)

14 BY MR. STARR:

15 Q. Did you have an opportunity to review that
16 document, sir?

17 A. I did.

18 Q. Okay. Thank you. And have you seen this
19 document before?

20 A. This one?

21 Q. Yes.

22 A. Number four? Yes.

23 Q. Yes. And did you review this document in
24 preparation for today?

25 A. I did.

1 Q. Okay. For the record, can you just tell me
2 what this document is?

3 A. What it is?

4 Q. Yeah.

5 A. It's in an arrest report from myself, Schalk
6 and Noradin. It's an arrest report for James Fletcher.

7 Q. Okay. So this is an arrest report of
8 Mr. James Fletcher. And what's the date on this, sir?

9 A. The date is 18th of April of '02.

10 Q. Okay. And 8:30, is that 8:30 a.m. or 8:30
11 p.m.?

12 A. That's 8:30 a.m.

13 Q. Okay. And Mr. Fletcher is listed as his first
14 and last name, and he has an alias as Arnold Dixon.
15 Do you see that, sir?

16 A. Yes, That is correct.

17 Q. And the detectives listed on here are, you
18 said was yourself, Mr. Schalk, and Mr. Noradin; is that
19 correct?

20 A. Yes.

21 Q. You see your signature on here?

22 A. Yes.

23 Q. Is that your signature right above your name
24 that's printed?

25 A. Yes.

1 Q. Okay. And then is Mr. Fletcher's IR number on
2 here, sir?

3 A. It is.

4 Q. And could you tell me for the record what his
5 IR number is?

6 A. 966425.

7 Q. And then for the record, if you look back at
8 Exhibit number 3, the printout with the names, is it the
9 same IR number?

10 A. It is.

11 Q. Okay.

12 A. The --

13 Q. And that's 966425, correct?

14 A. Yes.

15 Q. Okay. So based on the date of birth that we
16 confirm on the IDOC photo, and the IR number that we've
17 confirmed with this Chicago Police Department arrest
18 report, is it your understanding that the James Fletcher
19 listed on this name printout is the same James Fletcher
20 that was arrested for this Sorrell shooting?

21 A. Yes.

22 Q. Okay. And so that seems to indicate that in
23 1995, when this name printout was done, that
24 Mr. Fletcher was listed as a suspect and was -- strike
25 that. That seems to indicate to me, correct me if you

1 think I'm wrong, that in 1995 when this name search was
2 done, that Mr. Fletcher, Mr. James Fletcher, was one of
3 the suspects in 1995, correct?

4 MR. STEFANICH: Objection. Form. Foundation.
5 Mischaracterizes the former testimony about when
6 this was printed out. You can answer.

7 A. Right. I'm -- I'm not sure, first of all,
8 that -- when this was printed out, and -- and these are
9 not necessarily -- I mean -- I mean, they --
10 they're -- people with the name of Fletcher, they're not
11 necessarily suspects.

12 BY MR. STARR:

13 Q. Okay. That's fair. You did testify that you
14 didn't run a name search in 2002 like this, correct?

15 A. I don't think so, but I'm not sure.

16 Q. And it was your understanding that you or one
17 of the three other detectives working with you ran a
18 name search of Fletcher back in 1995, correct?

19 A. For some reason -- for some reason,
20 the -- the -- the name of Clinton, or Fletcher Clinton
21 was an issue, and this was given to us by our other pair
22 of detectives.

23 Q. Right. I understand that. But you previously
24 testified that one of the four detectives, and you
25 including yourself in that list, you, Detective Schalk,

1 Detective McDonald, and Detective Rutherford, one of the
2 four of you ran a name search on Fletcher in 1995?

3 A. Apparently.

4 Q. Okay. And this is the only document we have
5 with the name search of Fletcher that was from the
6 investigative file, other than the one you also referred
7 to, which was from 1999?

8 A. '98.

9 Q. We'll look at it in just a minute, and we'll
10 confirm whether it's '98.

11 A. I thought -- I thought it was '98.

12 Q. Okay. But other than the name search that was
13 run in '98 or '99, this is the only name search that's
14 in the investigative file, correct?

15 A. I -- I guess it is. I --

16 Q. Did you --

17 A. I -- I didn't look closely at this.

18 Q. Fair enough.

19 A. Before this.

20 Q. Did you see any other name searches in the
21 investigative file besides this one or the one that's
22 from '98 or '99?

23 A. I don't think so --

24 Q. Okay. And if I represent to you that this is
25 the only other name search besides that one that's

1 either '98 or '99, which we'll look at in a little bit,
2 will you believe me that this is the only other name
3 search in the investigative file?

4 A. As far as I know.

5 Q. Do you have any reason to dispute that this is
6 the only other name search besides the '98, '99 --

7 A. No, I have no reason to dispute that.

8 Q. Okay.

9 A. No.

10 Q. Okay. And so based on the fact that Mr. James
11 Fletcher's on this list, what does that tell you about
12 Mr. Fletcher, James Fletcher, in 1995?

13 A. It tells me we missed it.

14 Q. Okay. Did you see a Clinton Fletcher on this
15 list anywhere?

16 A. I didn't notice that, no. So that --

17 Q. Take a second to review.

18 A. That's -- that's what I don't understand,
19 actually. Or Fletcher, it's because these are the last
20 names of Fletcher. That's why. Clinton Fletcher was a
21 -- I mean, Fletcher Clinton was the opposite.

22 Q. Right. And you testified you had his Chicago
23 Police Department photo, correct?

24 A. We did at one time, yeah.

25 Q. And in order to do a photo array, you would

1 need other photos other than Fletcher Clinton's,
2 correct?

3 A. Yes.

4 Q. So when you did a photo array with Mr. Cooper
5 in 1995, that was a negative identification, correct?

6 A. Yes.

7 Q. Okay. So in 1995, your testimony is that you
8 showed Mr. Cooper a photo of Fletcher Clinton that was
9 in a Chicago Police Department photo, and then other
10 photos that you had run a name search for, correct?

11 A. Yes.

12 Q. Okay. And it could have been the names that
13 are indicated on this list, correct?

14 A. It could have been some of them, you know,
15 I -- I -- I really don't know.

16 Q. Okay. So it could have been any of the names
17 that are on this list that have the little squiggles
18 next to them, based on your testimony, correct?

19 A. It could have been any -- anybody.
20 I don't -- I really don't know if any of them were on
21 there.

22 Q. Right. But you previously testified that you
23 believed that the squiggles likely indicated that those
24 were the photographs that you used, correct?

25 A. I could guess so --

1 MR. STEFANICH: Objection. Mischaracterizes
2 his former testimony. You can answer.

3 A. I -- I -- it was only a guess. I don't know.

4 MR. STARR: Okay. All right. Let's take a
5 five minute break.

6 MR. STEFANICH: Sure.

7 THE VIDEOGRAPHER: We are off record. The time
8 is 3:46.

9 (OFF THE RECORD)

10 THE VIDEOGRAPHER: We're back on the record for
11 the deposition of Jerome Bogucki. My name is
12 Kortney Chase. The date is April 20, 2023, and the
13 time is 4:10 p.m. Central time.

14 BY MR. STARR:

15 Q. All right Mr. Bogucki, I was asking you
16 earlier in the deposition about your use of the IDOC
17 photos, correct?

18 A. Yes.

19 Q. Okay. And correct me if I'm wrong, but I
20 believe your testimony was that you used IDOC photos in
21 the 2002 photo arrays, and that the one that I showed
22 you of Mr. Fletcher, whose named Mr. Dixon on that
23 actual particular photo, that's one of the photos you
24 used, correct?

25 A. Yes, I believe so --

1 Q. Okay. And that you put that photo into the
2 investigative file after you used it, I assume?

3 A. If it was --

4 MR. STEFANICH: Objection. Mischaracterizes
5 his testimony. You can answer.

6 A. If it's there, then it was in the -- that's
7 a -- that's where it was.

8 BY MR. STARR:

9 Q. Okay. And so did you put the IDOC photo of
10 Mr. Fletcher that's listed as Arnold Dixon into the
11 investigative file after you used it?

12 A. Yes.

13 Q. Okay. The other IDOC file photographs, I
14 believe you testified you think you inventoried them; is
15 that correct?

16 A. Inventoried the entire group of seven.

17 Q. Okay. So do you know what happened to the
18 other IDOC photos that are not of Mr. Fletcher that you
19 used during the photo arrays?

20 A. I don't know that there are any others.

21 Q. Okay. But you did a photo array with multiple
22 IDOC photos, correct?

23 A. The ones that were inventoried.

24 Q. Okay. And one of them was of James Fletcher,
25 AKA Arnold Dixon?

1 A. Yes.

2 Q. And the other ones were of other people that
3 you don't know the names of, correct?

4 MR. STEFANICH: Objection.

5 A. Except Dixon.

6 BY MR. STARR:

7 Q. Okay. So let's talk about that. So you used
8 all the other IDOC photos you used had the last name of
9 Dixon; is that correct?

10 A. Yes.

11 Q. Okay. And you showed the three witnesses,
12 Rogers, Cooper, and Friend those photos as they appeared
13 like Mr. James Fletcher's photo with the information
14 about the IDOC and the name on the photograph, correct?

15 A. Yes.

16 Q. Okay. You didn't do anything to cover any of
17 the IDOC information at all when you showed the
18 photographs to the witnesses, correct?

19 A. I don't remember doing that.

20 Q. Okay. And you don't dispute that you had IDOC
21 photos to use for a photo array in 2002?

22 A. They were on the computer, I believe.

23 Q. And you printed them off the computer,
24 correct?

25 A. One of us did, yes.

1 Q. Okay. Did you use any other criteria in
2 selecting the other fillers in that photo array other
3 than the fact that they had the last name Dixon?

4 A. Similar looking.

5 Q. Okay. So did you make sure that the other
6 individuals -- strike that. Did you make certain that
7 the other photographs -- strike that. Did you make
8 certain that the other IDOC photographs that you used as
9 fillers in the 2002 photo array were all men?

10 A. Were all men?

11 Q. Yes.

12 A. Yes.

13 Q. Okay. Did you make certain that the
14 photographs, the IDOC photographs you used as fillers in
15 the 2002 photo array, were all African American or black
16 men?

17 A. Yes.

18 Q. Okay. Did you make certain that they, the
19 filler photographs, that the complexion of their skin
20 was similar to Mr. Fletcher's or Mr. Dixon's?

21 A. I believe so --

22 Q. Okay. Did you make certain that the hairstyle
23 of the other filler IDOC photographs was similar to the
24 hairstyle of Mr. Dixon slash Mr. Fletcher's?

25 A. No.

1 Q. Why not?

2 A. Because it wouldn't matter 12 years later.

3 Q. But you were asking a witness to identify what
4 they saw previously, correct?

5 A. Asking to identify a face.

6 Q. Okay. So you didn't care about the hairstyle
7 whatsoever?

8 A. I -- I didn't have a choice to care.

9 Q. Okay. When you pulled the photos of the
10 alternative filler Dixons, did you find more than the
11 photos that you used, or did you find only a finite
12 amount of Dixons? That's a bad question. Let me
13 re-ask it.

14 A. I agree.

15 Q. When you retrieved filler photos of other men
16 with the last name Dixon, did you have a multitude of
17 Dixons to choose from, or was there only six other
18 Dixons?

19 A. You know, I -- I don't -- I don't remember,
20 and I don't even know who pulled those up.

21 Q. Did you make sure that the six other Dixon
22 filler photographs that you used looked similar to
23 Mr. Fletcher?

24 A. We believe so, yes.

25 Q. Okay. And were you certain to make sure that

1 the height of the fillers was similar to the height of
2 Mr. Dixon or Mr. Fletcher?

3 A. That had no bearing.

4 Q. Okay. Did you make certain that the weight of
5 the fillers was similar to the weight of Mr. Fletcher?

6 A. No, we were just looking at faces.

7 Q. Okay. Did you make sure that none of the
8 other filler photographs had facial hair that was
9 different than what Mr. Dixon or Mr. Fletcher had?

10 A. Again, that's something 12 years later,
11 it wouldn't come into play.

12 Q. Okay.

13 A. Either they can identify a face or they
14 cannot.

15 Q. So this photograph of Mr. Fletcher, Mr. Dixon
16 that I showed you that's Exhibit 1, does he have any
17 facial hair in this photograph?

18 A. I'm not sure.

19 Q. Okay.

20 A. He might have a little.

21 Q. Okay. But you didn't take facial hair into
22 account when you were choosing to fill her photographs
23 whatsoever, correct?

24 A. No, not in -- not in just -- I mean, if
25 someone had a -- a full beard or something, obviously

1 we wouldn't put that in with this photo.

2 Q. Okay. In this photograph of Mr. Fletcher,
3 he appears to have braids; is that correct?

4 A. Yes.

5 Q. Okay. Did you do anything to make sure that
6 the other filler photographs had braids?

7 A. No.

8 Q. Okay. Did you take the hairstyle of the other
9 filler photographs into account whatsoever?

10 A. No.

11 Q. Okay. Underneath this photograph, there's
12 some identifying information; do you see that?

13 A. Yes.

14 Q. And it says that the eye color of Mr. Fletcher
15 is brown; do you see that?

16 A. Yes.

17 Q. Did you make sure that the filler photographs
18 you used all had brown eyes?

19 A. Did I make sure of that? No.

20 Q. And then you see that the date of birth,
21 we talked about that earlier, about Mr. Fletcher's is
22 March 30, 1963, correct?

23 A. Yes.

24 Q. Did you make sure that the filler IDOC
25 photographs that you used during your photo array had a

1 similar birthdate to Mr. Fletcher?

2 A. No.

3 Q. Why not?

4 A. Just similar faces. That's all we're trying
5 to put together.

6 Q. Okay. All right. I think that's the only
7 questions I have about this. Let me ask you: Did you
8 use any other criteria to determine which filler
9 photographs to use other than what you've already
10 testified to today?

11 A. Not that I'm recalling, no.

12 Q. Okay. And I think I asked you earlier about,
13 like, your practice in terms of documenting information
14 you learned in the course of an investigation. Do you
15 remember that line of questions?

16 A. Yes.

17 Q. I don't remember if I asked you, was it
18 important to include everything that you document and
19 that you learn into the investigative file?

20 A. If it's important, yes.

21 Q. Okay. So anything important that you
22 documented during the course of the investigative file
23 or any investigative steps you took, you would make sure
24 to include in the investigative file, correct?

25 A. I would hope to, yes.

1 Q. Okay. In the name search exhibit, which is
2 Exhibit number 4, I believe -- three, I'm sorry, Exhibit
3 number 3?

4 A. Yes.

5 Q. If you had run this name search, I know you
6 said you can't remember exactly if you ran it or one of
7 your partners ran it, but if you had ran this name
8 search, you had made certain to include this in the
9 investigative file, correct?

10 A. Not necessarily.

11 Q. Why not?

12 A. Well, first of all, it -- it dawned on me
13 after we -- our last session that in '98 and '99 we were
14 doing name checks, and it makes a lot more sense to me
15 that this was from '98 or '99 and we just -- those were
16 not -- I mean, we didn't do anything with those. It was
17 just, we're looking at the case again and still waiting
18 for Terry Rogers to show up, and that would be our next
19 step.

20 Q. Okay. Well, you already testified that you
21 ran a name search in 1995. So if you did in fact run a
22 name search in 1995, would you have put that name search
23 in the investigative file?

24 MR. STEFANICH: Objection. Form. You can
25 answer.

A. Somebody ran a name search in '95.

BY MR. STARR:

Q. Yeah. And --

A. And the detectives we were working with, whether they were going on vacation or days off or whatever, they gave us a name of Fletcher Clinton. I keep -- and the -- and then -- those -- that -- if -- if we were going to show any number of Fletchers with the last name, it would've been documented, but because we were just showing in '95 Fletcher Clinton, that's why that is documented.

Q. So did you just show --

A. So -- which is what makes me think this is from '98.

Q. Right, I understand what you're saying, but you did testify that somebody ran a name search in '95. So my question is, if you were aware of a name search that was ran in 1995, whether you ran it or one of your partners ran it, would you make certain that that name search was included in the investigative file?

MR. STEFANICH: Objection. Asked and answered.
You can answer again.

A. Included how?

BY MR. STARR:

Q. Physically put into the investigative file.

1 A. If was negative, not necessarily.

2 Q. Right. So this is a name search that was run
3 at some point in the investigation, and was in the
4 investigative file, right?

5 A. Right.

6 Q. Were there other name searches that you ran
7 that you didn't include in the investigative file?

8 A. Well, this seemed to be -- again, it took me a
9 while to figure this -- figure this out maybe, but it
10 seems to be information that was staying in the file
11 until Terry Rogers was talked to.

12 Q. Were there other name searches that you ran
13 during the Sorrell investigation that you did not
14 include in the investigative file?

15 A. Not that I know of.

16 Q. Okay. So any name searches that you were
17 aware of that were run during the Sorrell investigation,
18 you would've made certain were included in the
19 investigative file, correct?

20 A. Well, the ones I know about are. That's all I
21 can tell you.

22 Q. Okay. So it's possible that another detective
23 ran a name search you're not familiar with and they
24 didn't include it, but you don't know that, correct?

25 A. Their actual search? I know somehow --

1 somehow this name from the other detectives came up.
2 So what they did with that, with their information,
3 you know, they came up with the name Clinton Fletcher.

4 **Q. Right.**

5 A. I don't know what they did, how many names
6 they looked at, or negative names or -- those aren't
7 things that would necessarily go on the file.

8 **Q. But all the name searches that you were**
9 **familiar with were included in the investigative file?**

10 A. I can't say for sure.

11 **Q. I thought you just said that. Am I wrong?**

12 A. Maybe -- maybe you're confusing me.

13 **Q. I'm not trying to confuse you, sir.**

14 A. Well, I think you are. But I really don't
15 know, okay? I know that this one was done, and I'm
16 guessing it was '98 or '99 where -- when the other ones
17 were being done, where the other system was being done.

18 **Q. Right. I understand that's your testimony**
19 **now, but my question was -- and I just want to try and**
20 **get it clear here, any name search that you were aware**
21 **of being run during the Sorrell investigation, you**
22 **would've, as a matter of good practice, made sure it**
23 **was included in the investigative file, correct?**

24 A. Well, it could -- it -- it could go either
25 way. It's not necessary.

1 Q. So it's possible there were name searches run
2 during the Sorrell investigation that you're aware of
3 that were not included in the investigative file; is
4 that what your testimony is?

5 A. Sure. It's possible.

6 MR. STARR: Okay. Let's look at what I'm going
7 to mark as Exhibit number 5.

8 (EXHIBIT 5 MARKED FOR IDENTIFICATION)

9 MR. BURNS: Thank you.

10 BY MR. STARR:

11 Q. All right. Take a look at this document, sir.
12 I'm not expecting you to read it's entirety right this
13 minute. Have you reviewed that document?

14 A. I have previously.

15 Q. Okay. So when I asked you earlier in the
16 deposition about documents you reviewed, you told me
17 police reports. Did you also review testimony in this
18 case?

19 A. Yes.

20 Q. Okay. And did you review your testimony in
21 this case?

22 A. I did.

23 Q. Did you review anybody else's testimony in
24 this case?

25 A. No.

1 Q. Okay. And so this document, which is Bates
2 stamped -- give me one second here. I'll get to the
3 Bates. Just Fletcher 881 through Fletcher 1092, I
4 believe. This document is a transcript of testimony
5 that you gave in the Fletcher criminal trial, is that
6 correct, sir?

7 A. Yes.

8 Q. And you reviewed this in its entirety for
9 preparation today?

10 A. I've read it.

11 Q. Okay. Do you recall giving this testimony,
12 sir?

13 A. Yes.

14 Q. Okay. I'm going to direct your attention to
15 Bates 1059, line 7. And there's a question that's asked
16 at the time, March of '95, "What was the purpose of
17 reviewing that file?" And then the answer starting at
18 line 9 is, "At that time I was assigned to peruse older
19 homicides that had been put aside and see if there was
20 anything more that could have been done with them."
21 Do you see that question and answer?

22 A. Yes.

23 Q. Were you asked that question and gave that
24 answer, sir?

25 A. Apparently I did.

1 Q. Okay. And is that what you were talking about
2 earlier when you said that you were asked to look at
3 cold cases?

4 A. Yes.

5 Q. Okay. And then the next question there on
6 line 13 is, "As of March of '95, was there anyone wanted
7 in connection with the murder of Willie Sorrell?" Do
8 you see that question?

9 A. I see it.

10 Q. And then there's a series of objections in
11 communications with the court, but on the next page,
12 Bates 1060, your answer on line 1 is, "There were two
13 male black offenders wanted. One of the witnesses had
14 provided a name of Fletcher." Do you see that?

15 A. I do.

16 Q. Okay. So in 1995, you were aware as of
17 March of 1995 that there was an allegation that one of
18 the suspects had the name Fletcher, correct?

19 A. For -- yeah. Either the first or last name,
20 yes.

21 Q. Unclear, correct?

22 A. Correct.

23 Q. Okay. So is it possible that this search that
24 we looked at previously in Exhibit 3 was run because you
25 had learned that there was information that one of the

1 witnesses said that the suspect said the name Fletcher?

2 A. Yeah. The only question is when.

3 Q. Okay. And I understand that you previously
4 testified that it was '95, and then now you're saying
5 maybe it was '98, but your answer to that first question
6 is, is it possible that the name check was run on
7 Fletcher because you knew that the one of the witnesses
8 had said the name Fletcher?

9 A. Okay. Just to clear it up. I -- I wasn't
10 ever sure it was '95. I'm more -- more going toward 98,
11 but I don't know.

12 Q. The record speaks for itself.

13 A. Okay.

14 Q. Okay. Okay. Do you remember being asked that
15 question and giving that answer?

16 A. Yes.

17 Q. Okay. Do you recall anything else about any
18 suspects in March of '95? Any other information you had
19 about suspects in March 1995?

20 A. I -- the only -- the only thing I can say for
21 sure is the name of provided to us by our -- our fellow
22 detectives of Fletcher Clinton.

23 Q. Right. And when did you get that name, sir?

24 A. In '95.

25 Q. Do you know exactly when you received that

1 name?

2 A. Only if my report says so.

3 Q. Okay. We'll get to your report. Maybe not
4 today, but we'll definitely get to it. Let me take you
5 back to the IDOC photos. I do remember I had one other
6 question. The IDOC photos that you used in the photo
7 array in 2002, you remember?

8 A. Okay, sure.

9 Q. Okay. At that time in 2002, did you have
10 access to Chicago Police Department photos of
11 Mr. Fletcher?

12 A. We probably would've, yes.

13 Q. Okay. And can you explain to me why you chose
14 to use IDOC photographs of Mr. Fletcher as opposed to
15 using the Chicago Police Department photographs that you
16 had at your disposal?

17 A. Well, there were certainly more -- it -- it
18 was -- I guess it was convenient. But I can't say for
19 sure why we went that way.

20 Q. Okay. And regarding those IDOC photographs,
21 you testified that you chose people with similar faces,
22 right?

23 A. Yes.

24 Q. What specific criteria about their faces did
25 you use to choose the filler photographs?

1 A. I can't -- I can't explain that. Just look
2 similar.

3 Q. In 2002 when you did that photo array,
4 was it important that you chose photographs of people
5 that looked like Mr. Fletcher so that the array could be
6 fair?

7 A. Fair enough. I mean, we -- obviously you
8 can't look for twins, but -- but you can do the best you
9 can.

10 Q. Okay. Barring twins, you chose people that
11 you thought looked like Mr. Fletcher, correct?

12 A. Yes.

13 Q. Except for the hair and the facial hair,
14 correct?

15 A. Possibly. I mean, I'd have to look at the
16 photos again, but the hair wouldn't matter.

17 Q. Would, would you have chosen people that had
18 similar sized noses?

19 A. Not necessarily.

20 Q. Would you have chosen people who had similar
21 sized lips?

22 A. Not necessarily.

23 Q. Would you have chosen people that had similar
24 sized ears?

25 A. Not necessarily.

1 Q. Would you have chosen people who have thin
2 faces versus people who have like larger, fatter faces?

3 A. Not necessarily.

4 Q. Okay. Is there any other criteria that you
5 can tell me that you would've used to make a fair photo
6 array in 2002?

7 A. Just look similar.

8 Q. Okay. And that's just a subjective --

9 A. It is subjective, always.

10 Q. -- analysis that you did. Okay. Do you have
11 any independent recollection of ever interacting or
12 speaking to a police officer by the name of James Gilger
13 concerning the Sorrell case?

14 A. I know James Gilger, or I knew him, I should
15 say. I don't remember talking about this case with him.
16 He actually was a detective in Area 5.

17 Q. But you don't know if you spoke to him about
18 the circumstances --

19 A. I don't know.

20 Q. -- of the Sorrell case, correct?

21 A. No.

22 Q. I'm going to show you another document here,
23 sir. I believe we're on six, correct?

24 THE REPORTER: Yep.

25 MR. STARR: Okay. This is Exhibit 6. And for

the record, this is Bates stamp City-JF-64 and 65.

(EXHIBIT 6 MARKED FOR IDENTIFICATION)

BY MR. STARR:

Q. Take a moment to take a look at that document, sir. I'm going to ask you a few questions about it.

A. Okay.

Q. You have the opportunity to review it?

A. Yes.

Q. Okay. And have you seen this document before, sir?

A. Yes, I have.

Q. And did you review it in preparation for today's deposition?

A. I read it.

Q. Okay. And what is this document?

A. It's the original case report.

Q. Yeah, And the top left corner, is cut off, but this is what this form is, correct?

A. Yes.

Q. It's called the original case incident report?

A. Yes.

Q. Okay. And so this is the original case incident report from the December 21, 1990 shooting of Willie Sorrell Junior, correct?

A. Yes.

1 Q. Okay. And based on this document, can you
2 tell me who created it?

3 A. James Gilger.

4 Q. Okay. And this is the same James Gilger I
5 asked you about earlier, correct?

6 A. Yes.

7 Q. You would've reviewed this document when you
8 first started working on the Sorrell investigation; is
9 that correct?

10 A. Yes -- yes.

11 Q. Okay. It would've been in the investigative
12 file?

13 A. Yes.

14 Q. Okay. And did you in fact review this
15 document when you first started working on the case?

16 A. I have -- I have no specific memory of it,
17 but I'm sure I did.

18 Q. As a matter of practice, you would've done so?

19 A. Yes.

20 Q. Okay. And what is your understanding of like
21 the purpose of a general offense case report?

22 A. It's the original. It's a report of the
23 officers that originally go to the scene of the crime.

24 Q. Okay. And did it list the witnesses here as
25 well, sir; is that correct?

1 A. Yes.

2 Q. And you see Mr. Edward Cooper's name listed as
3 one of the witnesses?

4 A. Yes.

5 Q. He's listed as victim, actually, correct?

6 A. Yeah, he's a victim and a witness.

7 Q. Okay. And then the other witnesses that are
8 listed are Sheree Friend and Emmett Wade, correct?

9 A. Yes.

10 Q. Those are people we've talked about
11 extensively today, right?

12 A. Yep.

13 Q. Okay. And Mr. Rogers' name is not listed on
14 here, is he?

15 A. I don't see him listed.

16 Q. Okay.

17 A. Unless he's in the narrative somewhere.

18 Q. I don't see him the narrative. If you do let
19 me know.

20 A. No, I'm not seeing him. Apparently Gilger did
21 not talk to him.

22 Q. Okay. But he did talk to Ms. Friend, correct?

23 A. Yes.

24 Q. You previously testified that Ms. Friend told
25 you that she had seen Mr. Fletcher around the

1 neighborhood before the shooting; is that correct?

2 A. Yes, she did.

3 Q. Okay. Is there anything in this original case
4 incident report to indicate that Ms. Friend had seen
5 Mr. Fletcher around the neighborhood prior to the
6 shooting?

7 A. I don't know the --

8 MR. STEFANICH: Objection. Form and
9 foundation. You can answer.

10 A. I don't know.

11 BY MR. STARR:

12 Q. Go take a minute to review it and tell me if
13 you see it.

14 A. No.

15 Q. There's nothing in this general offense case
16 report to indicate that Ms. Friend knew one of the
17 suspects in this shooting, correct?

18 A. There's nothing there, no.

19 Q. Okay. And in fact, if you look at the top
20 line of the narrative on page 2, it says, "Witness
21 number 1, Friend, observed male black, M/B, standing in
22 the doorway with Offender 1 loading a blue steel
23 revolver with bullets. Witness number 1, Friend, told
24 the victim what she saw, and that was when she attempted
25 to run, but she stopped when both offenders approached

1 the truck and told the Victim Cooper to "Give me your
2 money." Nothing in that sentence indicates that she
3 knew or was familiar with any of the offenders in this
4 case, correct?

5 A. Well, it's not on here or no.

6 Q. And it would be a good police practice to
7 include that information. If Mr. Gilger had learned
8 from Ms. Friend that she knew or was familiar with one
9 of the suspects, he would've included that, correct?

10 MR. STEFANICH: Objection. Form and
11 foundation. You can answer.

12 A. Yeah --

13 BY MR. STARR:

14 Q. Let me withdraw the question. It was a badly
15 phrased question. It would be a good police practice
16 for whoever created a general offense case report to
17 include information like one of the victims or witnesses
18 knew one of the suspects, correct?

19 MR. BURNS: Objection to the form of the
20 question.

21 A. Something like -- there's two different things
22 going on here. That somebody that knows somebody is a
23 little different than somebody that's been seen in the
24 neighborhood several times.

25 BY MR. STARR:

1 Q. Okay. So it doesn't say that she knew him,
2 correct?

3 A. It doesn't say that, no.

4 Q. Does it say that she had seen him in the
5 neighborhood several times?

6 A. No.

7 Q. Okay. If you were writing a general of
8 offense case report and a witness told you I saw the
9 suspect and it was someone who I've seen around the
10 neighborhood several times before the shooting, is that
11 information that you think would be a good practice to
12 include in a police report?

13 MR. STEFANICH: Objection. Form. You can
14 answer.

15 A. These reports are highly summarized, and I'm
16 sure Gilger didn't have a whole lot of time to talk to
17 everyone. You get more information once the detectives
18 talk to everybody.

19 BY MR. STARR:

20 Q. Okay. So that's fine. But --

21 A. Actually this -- this report is more detailed
22 than normal.

23 Q. Okay. That's fine. But my question is,
24 if you were writing a general offense case report and
25 you interviewed a witness who said I'd seen the one of

1 the suspects in the neighborhood several times before
2 the shooting, is that information that you think should
3 have been included in the police report?

4 A. If they said that at that time, yes.

5 Q. Okay. So if Mr. Gilger had learned that from
6 Ms. Friend, he should have included that in here,
7 correct?

8 A. I would think he would've, yes.

9 Q. Okay. All right. Just real briefly, there's
10 some other police officers listed at the very end of the
11 narrative. Can you take a quick look at that?
12 Maniscalco, Gates, Povoio, and Fleming. Do you see
13 those names?

14 A. Yeah, Fleming's a detective and he's --
15 Gilger's required to whoever comes on the scene that he
16 just includes them in the report if he can.

17 Q. Okay. Are you familiar with Detective
18 Fleming?

19 A. Yes.

20 Q. Okay. Did you work with Detective Fleming at
21 any point?

22 A. Very -- very slightly.

23 Q. Did you have any opinion about Detective
24 Fleming's work as a Chicago police officer?

25 A. Yeah. He -- he seems a good detective.

1 Q. Okay. What about these other officers;
2 do you know them?

3 A. Let me see. No.

4 Q. Does seeing their names listed on this report
5 refresh your recollection at all?

6 A. No.

7 Q. Okay. All right. Sir, you previously -- I
8 believe I asked you this, and I think I believe you
9 testified this, but I'm going to make sure. I asked you
10 if you ever, in your career as a Chicago police
11 detective, did you ever manipulate any eyewitness -- or
12 sorry. In your career as a Chicago police officer, did
13 you ever manipulate or coerce any witness to identify a
14 suspect?

15 A. No.

16 MR. STEFANICH: Objection. Form.

17 BY MR. STARR:

18 Q. Were you ever accused of doing that as far as
19 you know?

20 A. Yes.

21 Q. Okay. When were you accused of doing that,
22 sir?

23 A. In -- in the Thaddeus Jimenez case.

24 Q. Okay. We talked about that case a little bit
25 briefly, correct? Earlier today?

1 A. Yeah.

2 Q. Okay.

3 A. A little bit.

4 Q. What were you accused of doing in that case,
5 sir?

6 A. You know I'm not even sure.

7 Q. Okay. Well, you just testified that you were
8 accused of manipulating or coercing a witness to
9 identify a suspect; is that correct?

10 A. Well --

11 MR. STEFANICH: Objection. Form. You can
12 answer.

13 A. I -- I believe I was accused of showing a
14 single photo before the lineup. And they felt it was
15 coercion.

16 BY MR. STARR:

17 Q. Okay. You were accused of showing a single
18 photo before a lineup. Is that what your testimony is?

19 A. That's -- that's what I said, yes.

20 Q. Did you in fact manipulate a witness in the
21 Jimenez case?

22 A. No.

23 MR. STEFANICH: Objection. Form. You can
24 answer.

25 A. No.

1 BY MR. STARR:

2 Q. Did you show a witness a single photograph in
3 the Jimenez case?

4 A. No.

5 Q. Did you violate Thaddeus Jimenez's
6 constitutional rights?

7 MR. STEFANICH: Objection. Form. And I think
8 it violates the agreement that was reached in the
9 Thaddeus Jimenez case. That your office wasn't
10 going to use anything that was said if he was asked
11 that question in any other proceedings, except for a
12 potential Thaddeus Jimenez retrial. So I think
13 you're violating that agreement by asking that
14 question. I'm going to instruct him not to answer
15 that question.

16 MR. STARR: Okay. And for the record, I don't
17 think I am. I think that the agreement was absent
18 if there was no appeal that was the agreement, but I
19 think the agreement was if there was an appeal that
20 that agreement was off. Why don't we take a
21 five-minute break and I can talk to my colleagues
22 who were involved in that case and see if I'm
23 correct?

24 MR. STEFANICH: Sure. Okay. I mean, you have
25 the transcript. I have the transcript, so --

1 MR. STARR: Yeah.

2 MR. STEFANICH: I mean, I think it's pretty
3 clear from the transcript and I think it's pretty
4 clear from the briefs in the 7th Circuit too,
5 so -- you can take five minutes.

6 MR. STARR: Yeah. So let me just before we go
7 off the record.

8 MR. STEFANICH: Yeah.

9 MR. STARR: So any questions I asked about
10 this, you're going to instruct him not to answer?

11 MR. STEFANICH: Based on the agreement, yes.

12 MR. STARR: Okay. Could I have the last
13 question I asked Mr. Bogucki read back just so I
14 know what it is?

15 THE REPORTER: Yeah.

16 (REPORTER PLAYS BACK REQUESTED QUESTION)

17 THE VIDEOGRAPHER: We are off the record. Time
18 is 4:46 p.m.

19 (OFF THE RECORD)

20 THE VIDEOGRAPHER: We are back on the record
21 for the deposition of Jerome Bogucki. My name is
22 Kortney Chase. The date is April 20, 2023, and the
23 time is 4:54 p.m. Central time.

24 MR. STARR: Okay. So I believe that I just
25 asked the witness whether or not he violated

1 Thaddeus Jimenez's constitutional rights.

2 MR. STEFANICH: That's correct. I objected and
3 instructed the witness not to answer.

4 MR. STARR: Okay. And I have not entered any
5 document from the Thaddeus Jimenez trial or case
6 into evidence today, during today's deposition,
7 right?

8 MR. STEFANICH: I agree with that.

9 MR. STARR: Okay. So is it your position that
10 I'm not allowed to ask him any questions about
11 Thaddeus Jimenez?

12 MR. STEFANICH: It's not. My position is, the
13 question you asked was a question that was asked to
14 Mr. Bogucki at a part of the Thaddeus Jimenez
15 proceeding that your office agreed not to use and
16 never use in any other proceeding except for a
17 retrial of Mr. Jimenez's civil case. And by asking
18 him that same question, that's what you're doing.
19 And that's what I think you're violating
20 that -- that agreement that was reached between your
21 office and Mr. Bogucki.

22 MR. SWAMINATHAN: But that agreement does not
23 say that we did not agree that -- we would agree
24 that we would never ask this witness in any other
25 proceeding about his actions, but in context of

1 404(b) or any other case. You can take whatever
2 position you want about whether or not we're allowed
3 to impeach him with his testimony from the Thaddeus
4 Jimenez case and whether we're allowed to use that
5 transcript. And that's a very different question
6 than whether we get to simply ask him the typical
7 404(b) questions we'd asked of any witness.

8 MR. STEFANICH: It's the same exact question
9 that was asked in the Thaddeus Jimenez case.

10 It's --

11 MR. SWAMINATHAN: All we're asking is whether
12 he violated his -- you're saying we cannot ask him
13 any form of a question of whether he violated the
14 constitutional rights or you want us to rephrase it.

15 MR. STEFANICH: I'm saying the former, correct.

16 MR. SWAMINATHAN: You cannot ask any questions
17 whatsoever about whether he violated Thaddeus
18 Jimenez constitutional rights in any form?

19 MR. STEFANICH: Yes -- yes.

20 MR. SWAMINATHAN: And regardless of whether --
21 so that has nothing to do with whether or not we're
22 impeaching him with the transcript, has nothing to
23 do with the transcript. We cannot ask on that topic
24 whatsoever.

25 MR. STEFANICH: I might not be following you.

1 But yeah. That is our position.

2 MR. SWAMINATHAN: Does that transcript that
3 you're referring to, say that we would not ask any
4 question of this witness ever again, of whether he
5 violated constitutional rights, or does it say that
6 we would not use that transcript?

7 MR. STEFANICH: It says, "We're never going to
8 use this again unless there's an appeal in a
9 successful retrial. In which case then we would be
10 able to use this? That's the only conceivable way
11 this testimony," it says, "would be under seal."
12 And then if you go further, Mr. Loevy states --

13 MR. SWAMINATHAN: Specifically referring to the
14 transcript, right?

15 MR. STEFANICH: Yep. Mr. Loevy states, "Let's
16 say they win a Batson challenge and the court says,
17 do this again. We intend to use this at the
18 retrial."

19 MR. SWAMINATHAN: When you say "use this,"
20 you're referring to the transcript of his testimony
21 in the Jimenez case, correct?

22 MR. STEFANICH: I'm referring to the questions
23 and answers that were asked of Mr. Bogucki at that
24 proceeding.

25 MR. SWAMINATHAN: Yes. The questions and

1 answers that we're asking. We're not asking him of
2 his questions and answers in the Jimenez case.

3 MR. STEFANICH: You asked the exact same
4 question.

5 MR. SWAMINATHAN: You said --

6 MR. STEFANICH: Word for word.

7 MR. SWAMINATHAN: Okay. Sean ask him whether
8 he's fabricated evidence, ask him whether he
9 violated due process, ask him whether he's
10 suppressed evidence, and ask him whether he violated
11 the constitutional rights of Thaddeus Jimenez.

12 MR. STEFANICH: And I'm instructing him not to
13 answer that.

14 MR. SWAMINATHAN: On any of those questions.
15 Even the questions that are not in the transcript.

16 MR. STEFANICH: Yeah. The way you just phrased
17 it now. Yes.

18 MR. SWAMINATHAN: And where in the transcript
19 did we ask whether he ever fabricated evidence?

20 MR. STEFANICH: I'm sorry. I couldn't hear
21 you.

22 MR. SWAMINATHAN: Where in the transcript do we
23 ask him if he fabricated evidence?

24 MR. STEFANICH: I think there's an inference
25 based on the questions that were asked.

1 MR. SWAMINATHAN: Where did we agree that we'll
2 never ask him if he's ever fabricated evidence ever
3 again in the history of times?

4 MR. STEFANICH: So you're misconstruing what
5 I'm saying.

6 MR. SWAMINATHAN: Where do we agree that we'll
7 bind future clients --

8 MR. STEFANICH: So I --

9 MR. SWAMINATHAN: -- the types of questions
10 that we can ask of this witness.

11 MR. STEFANICH: Okay. So I'm not going to
12 allow you to yell at me, which is what you're doing.
13 I'm not going to let you interrupt me.

14 MR. SWAMINATHAN: No I'm trying to be very
15 clear. You are telling us that -- that transcript
16 binds all future clients in terms of the questioning
17 that we can ask this witness. There's a difference
18 between that and saying that whether or not we can
19 use that transcript, that can be a separate debate.
20 But we're not talking about using that transcript.
21 We're talking about asking him questions. Yes or no
22 questions, just like you asked about the Kourtney
23 Terry case or any other case.

24 MR. STEFANICH: Okay. So I think what's
25 happening now is inappropriate for this deposition.

1 I'm not the deponent, you're interrogating me,
2 you're interrupting me. You're not listening to me.
3 You're misconstruing what I'm saying. I don't mind
4 continuing this discussion at a meet and confer, but
5 I don't think it's appropriate to do this in the
6 middle of a deposition right now.

7 MR. SWAMINATHAN: No, what the problem is,
8 we're in the middle of a deposition. You have never
9 once taken the position in advance of this
10 deposition or sought a protective order stating that
11 you would not permit this witness to answer basic
12 questions about his conduct in the case.

13 MR. STEFANICH: I was relying on the
14 representation that Mr. Loevy made to a federal
15 court judge that he would never use this in any
16 other proceeding except for a retrial of
17 Mr. Jimenez. So I didn't think that this would --

18 MR. SWAMINATHAN: Okay. Go ahead.

19 MR. STEFANICH: -- be an issue. And I think
20 I'm justified in relying on that representation.

21 MR. SWAMINATHAN: With regard to questions that
22 are not in any way relying on that transcript
23 testimony?

24 MR. STEFANICH: He asked the same exact
25 question.

1 MR. SWAMINATHAN: It doesn't matter. You're
2 saying something that's an irrelevant point.
3 Because now I've asked you about five other
4 questions that are not the exact question, and you
5 said you're instructed not to answer those either.
6 That's correct? I'm understanding correctly, right?

7 MR. STEFANICH: Correct.

8 MR. SWAMINATHAN: Is that correct?

9 MR. STEFANICH: I just said "correct".

10 MR. SWAMINATHAN: Okay. So Sean, I think our
11 record is clear and we'll address it with briefing.

12 MR. STARR: Okay. I think I'm going to
13 complete the circuit by asking the witness if he's
14 going to take his attorney's advice and not testify
15 and then --

16 MR. SWAMINATHAN: Okay.

17 MR. STARR: Okay. So I'm going to re-ask the
18 question. You can make your objection.

19 MR. STEFANICH: Sure.

20 BY MR. STARR:

21 Q. Okay. Mr. Bogucki, did you violate Thaddeus
22 Jimenez's constitutional rights?

23 MR. STEFANICH: Objection. I'm going to object
24 based on the agreement that Mr. Loevy reached with
25 Mr. Bogucki in the Jimenez trial. And I'm

1 instructing the witness not to answer.

2 BY MR. STARR:

3 **Q. Mr. Bogucki --**

4 A. I will follow my lawyer's advice.

5 **Q. Okay.**

6 MR. SWAMINATHAN: Sean, ask him about whether
7 he had fabricated evidence or suppressed evidence in
8 that case.

9 BY MR. STARR:

10 **Q. Mr. Bogucki --**

11 MR. STEFANICH: I'm going to object to this
12 format too, where Anand is telling you what to ask
13 on the record. I think that's inappropriate.
14 I don't think that's how it's supposed to be done
15 under the federal rules.

16 MR. STARR: That's fair. I'll ask the
17 questions.

18 BY MR. STARR:

19 **Q. Mr. Bogucki, did you ever fabricate evidence**
20 **in the Thaddeus Jimenez's case?**

21 A. No.

22 MR. STEFANICH: Objection. The answer can
23 stand, but listen, wait for me to object.

24 THE WITNESS: Okay.

25 BY MR. STARR:

1 Q. Mr. Bogucki, did you ever manipulate an
2 eyewitness identification procedure in the Thaddeus
3 Jimenez case?

4 MR. STEFANICH: Objection. I'm instructing the
5 client not to answer.

6 BY MR. STARR:

7 Q. Are you're going to take your attorney's
8 advice and refuse to answer my question?

9 A. I will accept my attorney's advice.

10 Q. Mr. Bogucki, did you ever unduly influence any
11 witness identification procedures in the Thaddeus
12 Jimenez case?

13 MR. STEFANICH: Objection. Based on the same
14 agreement. Instruct the client not to answer.

15 BY MR. STARR:

16 Q. Mr. Bogucki are you going to --

17 A. I follow my lawyer's advice.

18 Q. Okay. Mr. Bogucki, did you ever coerce any
19 witnesses in the Thaddeus Jimenez case to identify
20 Thaddeus Jimenez?

21 MR. STEFANICH: Objection. Same basis.
22 Instruct the client and that's answer.

23 BY MR. STARR:

24 Q. Are you going to take your attorney's advice?

25 A. I do.

1 Q. Okay. Let's take a two-minute break and see
2 where we're at.

3 MR. BURNS: What time is it now? How long have
4 we been on the record, I'm sorry.

5 THE REPORTER: Four hours, 26 minutes.

6 MR. BURNS: Okay.

7 THE REPORTER: Okay, we going off record.

8 THE VIDEOGRAPHER: We are off the record and
9 the time is 5:03.

10 (OFF THE RECORD)

11 THE VIDEOGRAPHER: We are back on the record
12 for the deposition of Jerome Bogucki. My name is
13 Kortney Chase. Today is April 20, 2023 and the time
14 is 5:05 p.m. Central time.

15 MR. STARR: Can we get a time of the record
16 check?

17 THE REPORTER: Four hours, 26 minutes.

18 MR. STARR: Okay. And I think the parties have
19 agreed off the record that we will suspend this
20 deposition, address the issues related to the
21 Jimenez line of questions and also resume for the
22 remainder of the time at another date; is that
23 correct?

24 MR. STEFANICH: Agreed.

25 MR. BURNS: I have no objection.

MR. STARR: Okay. Thank you very much.

THE REPORTER: All right.

THE VIDEOGRAPHER: We are -- go ahead.

THE REPORTER: Sorry. Do we want orders for this portion of the transcript starting with Mr. Starr?

MR. STARR: I'm going to hold off.

THE REPORTER: Absolutely.

MR. STEFANICH: I don't want it

MR. BURNS: Not at this time.

THE REPORTER: Okay. Are we reading or waiving today?

MR. BURNS: Well just hold till we --

MR. STEFANICH: Suspended, yeah.

THE REPORTER: Absolutely.

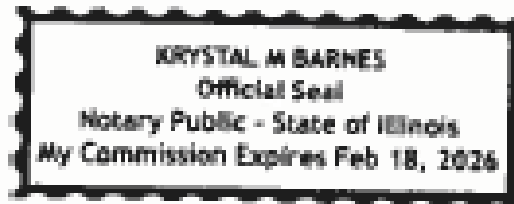
THE VIDEOGRAPHER: We are off the record. Time is 5:05 p.m. Central time.

(DEPOSITION CONCLUDED AT 5:05 P.M.)

1 CERTIFICATE OF REPORTER

2 STATE OF ILLINOIS

3
4 I do hereby certify that the witness in the foregoing
5 transcript was taken on the date, and at the time and
6 place set out on the Title page hereof by me after first
7 being duly sworn to testify the truth, the whole truth,
8 and nothing but the truth; and that the said matter was
9 recorded digitally by me and then reduced to typewritten
10 form under my direction, and constitutes a true record
11 of the transcript as taken, all to the best of my skill
12 and ability. I certify that I am not a relative or
13 employee of either counsel, and that I am in no way
14 interested financially, directly or indirectly, in this
15 action.



19
20
21



22 KRYSTAL M. BARNES,
23 COURT REPORTER/NOTARY
24 MY COMMISSION EXPIRES ON: 02/18/2026
25 SUBMITTED ON: 05/04/2023

Exhibits	10:49 6:7	216:19	2014 59:19	5555 92:8
	11:40 54:14	1999 198:7	2020 70:25	5:03 240:9
Exhibit 1_	11:47 54:19	1:00 92:22	2023 6:6 54:18	5:05 240:14
Bogucki	11:56 64:8,13	1:38 107:10	64:12 107:9	241:17,18
158:24,25	12 105:16,19,23	151:20,22	151:19 201:12	
159:8,9 188:3,4	161:17 205:2		230:22 240:13	6
193:23 206:16	206:10	2	20th 6:6	
Exhibit 2_	12:41 107:5	2 164:22 165:4	21 7:20 220:23	6 219:25 220:2
Bogucki	13 215:6	223:20	25th 103:8,13	65 220:1
164:22 165:4	15th 90:6,20	20 54:18 64:12	26 240:5,17	69 88:24
Exhibit 3_	91:4	107:9 151:19	2:38 151:23,24	7
Bogucki	18th 195:9	190:20 201:12	3	7 214:15
176:22 177:4	1963 189:16	230:22 240:13	3 176:22 177:4	71 55:1
196:8 209:2,3	207:22	20-CV-04768	196:8 209:3	77 90:25 91:1
215:24	1976 90:16	6:13	215:24	7th 230:4
Exhibit 4_	1978 64:21	200 66:12,13	30 189:16	8
Bogucki	1980 90:6 91:5,	2002 11:14,17,	207:22	
194:9,13 209:2	17 109:15	22 12:5,19	3:46 201:8	80 91:7
Exhibit 5_	112:2	15:25 16:15	4	86 176:23
Bogucki	1990 7:20	38:11,16,20,24		183:10
213:7,8	51:23,24 66:18	39:2,4 40:3,4	4 194:9,13	87 183:12,14
Exhibit 6_	175:14 220:23	41:7,15,24	209:2	186:17,18,21
Bogucki		42:5,15,17	404(b) 232:1,7	187:6 188:11
219:25 220:2	1995 8:16	46:13 66:19	4550 164:23	88 183:17
\$	10:10 11:4,16	93:11,22 94:11	4565 164:24	881 214:3
\$65,000 58:6	15:9 66:19	95:18 101:9,12	4:10 201:13	89 183:23
0	92:9,14,17	102:5 103:19	4:30 92:20,22	8:30 195:10,12
	93:3,15,24	104:10 106:11,	4:46 230:18	9
02 46:14 47:11	94:9,15 95:15,	24 111:13	4:54 230:23	9 214:18
51:18 195:9	17 101:2 112:5,	112:17,18		90 184:6
06 132:3	9,11 117:3	125:4 139:5	5 90:8 91:15	91 184:13
0966425 188:1	125:2 134:25	144:5,6,24	92:1,7,10 93:12	92 184:17
1	135:6 138:25	145:5,10,19	94:5,8,16 98:1	93 184:22
	171:15,18,20	146:3,16,21	99:22 103:12,	94 185:4
	172:1,6,13,19	147:1,6,13,22	14 116:20	95 11:13 12:2,4
	173:4,20	148:11,13	131:17 158:12,	40:25 41:3
	174:25 175:6	149:2,5,6 150:7	17 180:11	93:22 111:13
	176:17 178:1,	160:18 161:3,	213:7,8 219:16	112:14 117:1
	12,25 179:9,25	17 163:21		
	180:3,8,16	167:17,20		
1 158:24,25	181:6,7,11	173:2 178:16,		
159:9 188:4	182:20 186:4	23 181:4,6		
189:7 193:23	189:25 190:10	197:14 201:21		
206:16 215:12	192:14 196:23	203:21 204:9,		
223:21,22,23	197:1,3,18	15 217:7,9		
1059 214:15	198:2 199:12	218:3 219:6		
1060 215:12	200:5,7 209:21,	2006 56:24		
1092 214:3	22 210:18	89:18 90:4		
	215:16,17	2007 57:1		

176:14 185:8, 24 210:1,10,16 214:16 215:6 216:4,10,18,24 96 176:23 185:13 966425 189:2 196:6,13 98 179:4 198:8, 10,11,13,22 199:1,6 209:13, 15 210:14 212:16 216:5, 10 99 179:5 198:13,22 199:1,6 209:13, 15 212:16 A a.m. 6:7 54:14, 19 64:13 92:22 195:10,12 ability 26:21 54:22 55:3,7 absent 229:17 absolutely 24:6 132:19 163:18 241:8, 15 abuse 63:16 64:1 ac 177:24 academy 89:1, 5,10 90:5,15,17 107:15,17,21 108:1,14,19,23 109:1,6,11,20, 24 110:1,6,10, 18,24 111:5 accept 239:9 accepted 125:12 access 95:24 137:17,18 177:24 217:10	accord 9:8 account 206:22 207:9 accurate 54:23 55:3,7 115:4 119:24 127:3 accurately 113:25 accused 58:8, 11,25 59:3,5,7 60:21,24 62:18, 21 63:23,25 65:2,5,8,16,18, 22,23 227:18, 21 228:4,8,13, 17 act 110:12 129:2 actions 231:25 actual 41:12 150:17 201:23 211:25 add 23:24 34:12,25 35:5 addition 114:16 118:2 152:7 additional 35:10 49:22 50:3,5 89:8 108:24 109:25 162:24 address 109:19 237:11 240:20 adequate 112:16 administrative 95:12 advance 236:9 advice 237:14 238:4 239:8,9, 17,24 affect 54:22 55:3,6 affirm 7:2	affirmative 42:25 AFIS 188:19, 21,23 189:2 African 204:15 age 54:24 177:1 agree 18:2 83:19 205:14 231:8,23 235:1, 6 agreed 77:9 82:18 231:15 240:19,24 agreement 229:8,13,17,18, 19,20 230:11 231:20,22 237:24 239:14 ahead 51:21 191:14,15 236:18 241:3 AKA 202:25 alias 141:22 164:16,17 195:14 aliases 171:10 align 34:12 allegation 215:17 allegations 60:14 62:1 63:11,15 alleged 60:5,8, 12 62:14 82:22, 25 allegedly 42:6 106:7 164:2 168:21 172:20 175:6 allowed 231:10 232:2,4 alluded 109:9 Allyson 69:12, 15,25 70:5 71:6,11,25 72:6	74:9,10,17 88:1,11 alternative 205:10 American 204:15 amount 102:25 205:12 analysis 219:10 Anand 238:12 answering 162:8 answers 52:19 233:23 234:1,2 Anthony 17:15 31:18 184:6 Antonio 185:1 anymore 56:21 59:18 137:20 140:2 anyone's 65:22 104:22 anytime 142:13 apologies 69:5 apologize 64:16 172:18 182:4 apparently 117:4 198:3 214:25 222:20 appeal 229:18, 19 233:8 appeared 203:12 appears 163:17 182:24, 25 193:24 207:3 applied 103:18 apply 23:20 approached 223:25	approval 124:8,9 approved 124:11 135:20 April 6:6 39:2,4 40:4 42:15,17 54:18 64:12 107:9 151:19 195:9 201:12 230:22 240:13 area 47:6,10,14 90:8 91:15,20 92:1,7,10 93:12 94:5,8,16 95:2 98:1 99:22 103:12,14 116:19 131:17 152:1 158:12, 17 180:11 219:16 areas 107:24 140:23 arises 36:23 Arnold 160:11, 18 168:7 169:4, 7,10,12,14,19, 25 170:4,18,22 195:14 202:10, 25 array 11:7,12, 16 12:4 13:9,11 14:24 15:6,8, 10,19,22 35:12 38:12,17,24 40:4,15,17 41:2,3,16,24 42:5 45:16 46:6 50:20 136:24 137:14 138:14, 19 139:8,14,20, 24 140:4,15 142:8,9,12,14, 15,18,25 143:10,24 144:2,6,9,18,24 145:13 146:5, 18 147:1,5,16, 19,25 148:3,13, 18 149:5,6,24 150:3,12,18,23 152:3 153:21 154:9 157:11
--	--	--	--	--

158:15 160:19 161:21 162:22 164:8 167:6,20 168:25 170:21 171:15,17,20 172:1,5,12,19 173:19 190:10 199:25 200:4 202:21 203:21 204:2,9,15 207:25 217:7 218:3,5 219:6	87:12 178:23 188:15 202:2 attached 164:19 attempt 23:4,9 28:18 131:8 attempted 24:14,25 28:22 29:1 223:24 attention 214:14 attorney 36:22,25 37:1, 9,16 47:19 53:6 67:20,23 68:2, 8,16,19,20 69:6 72:12 80:11 83:7 87:7 attorney's 237:14 239:7,9, 24 attorney-client 36:17 73:23 attorneys 53:1 68:6 71:8 72:9, 21 74:13 81:10, 20,24 88:8,12 audio 131:24 avenues 176:1 average 73:14 aware 22:4 33:23 34:5 35:14 48:12 49:11 106:12, 21,22 111:23 180:2,5 210:17 211:17 212:20 213:2 215:16	107:7,14 151:17 174:2 181:17 186:18 196:7 197:18 201:10 217:5 230:13,16,20 240:11 background 48:5,6,16 49:9, 12,15 bad 47:4 205:12 badly 224:14 Barnes 6:5 barring 92:19, 24 93:2,7 218:10 based 36:16 73:22,24 87:18 106:11 169:9 189:3 196:15 199:10 200:18 221:1 230:11 234:25 237:24 239:13 basic 236:11 basically 49:24 94:24 133:19 135:11 basis 21:12 128:25 138:10 239:21 basket 124:24 Bates 159:9 164:22 166:3,6, 7,14,20 167:2 176:23 183:10, 12,14,16 184:13,17,22 185:4,8 187:6 194:9 214:1,3, 15 215:12 220:1 Batson 233:16 Bear 159:4 beard 206:25 bearing 206:3	began 10:25 begin 7:6 beginning 44:21 182:8 behalf 6:22 believed 200:23 bench 97:15 98:25 99:1 bet 178:3,4,10, 13 bind 235:7 binds 235:16 birth 189:12,15 193:20,21,24 196:15 207:20 birthdate 208:1 bit 22:24 35:18 51:20 74:20 105:5 136:24 162:7 165:2 199:1 227:24 228:3 black 163:20 189:9,11 204:15 215:13 223:21 blank 118:16 125:16 127:1 blanks 116:15 blue 223:22 blurry 96:16 body 100:19 Bogucki 6:9, 10,21,24 7:13, 16 54:17,21 64:11 88:14 107:8,12 151:18 152:1 201:11,15 230:13,21 231:14,21 233:23 237:21, 25 238:3,10,19 239:1,10,16,18	240:12 booking 141:4 bottom 166:3 184:18 bounds 26:19 box 124:12 Brady 119:12 Brady's 119:19 braids 207:3,6 break 53:21,23 54:3,7,9,11 66:21 107:2,13 136:23 151:12 201:5 229:21 240:1 Brian 6:19 69:14,25 71:3, 7,10,21 72:3 74:3,4,17 87:8 88:2,4,12 briefing 237:11 briefly 69:16 226:9 227:25 briefs 230:4 brigade 34:24 bring 117:23 bringing 116:13 brochures 120:13 brought 193:10 brown 207:15, 18 building 72:14 94:9 97:6 103:14 bullets 223:23 bunch 191:3 Burns 6:22 23:17,24 24:4 106:13,17 111:20 136:15,
---	---	---	--	--

18 144:20 151:14,21 191:16 192:22 193:2,16 213:9 224:19 240:3,6, 25 241:10,13	105:16,19 113:18 114:5 115:8 117:7 119:2,19 121:22 129:22 131:2,3 132:12, 16 138:21 139:14 142:3, 24 143:10,16 147:5 155:7 156:20 157:5 160:17 163:3,4, 5,13 175:11,19 178:1,12,25 180:4,16,19 181:1,7,11 209:17 213:18, 21,24 219:13, 15,20 220:16, 20,22 221:15, 21 223:3,15 224:4,16 225:8, 24 227:23,24 228:4,21 229:3, 9,22 231:5,17 232:1,4,9 233:9,21 234:2 235:23 236:12 238:8,20 239:3, 12,19	chance 143:4 change 93:15, 20 96:13 105:22 168:5 changed 90:10,12 91:22 92:5 93:16 97:17 124:21 changing 125:1 characteristic s 104:5 123:2 charged 7:25 Charles 184:23 Chase 6:4 54:18 64:12 107:9 151:19 201:12 230:22 240:13 check 103:7,24 176:1,4 191:2 194:1 216:6 240:16 checks 49:13, 18 209:14 Chicago 6:23 7:22 10:13,16 14:13 15:18,21 17:14 18:13 31:17 32:17 33:11 55:15 58:15 61:14,22 64:18,25 85:20 86:20 88:19 89:9,20,22 90:1,15 103:17 104:3,23 105:2, 6 106:11,22 118:22 125:19, 22 134:9,24 136:4 137:22 140:18,21 141:2,6,13,17 144:22 145:3 152:8 156:3 158:12,17 162:22 172:11, 13,20 174:5 176:17 177:16,	19,21 187:18 192:7 196:17 199:22 200:9 217:10,15 226:24 227:10, 12 choice 205:8 choose 127:25 137:10 141:11 151:11 155:25 173:14 205:17 217:25 choosing 206:22 chose 9:11 217:13,21 218:4,10 chosen 139:16 218:17,20,23 219:1 circle 183:2,13, 17 187:2 190:19,24 circles 192:15, 17 circuit 230:4 237:13 circumstance 64:1 124:15 134:1 154:17 circumstance s 39:3 92:24 93:2,7 117:19 123:1 128:12 129:14,17 130:3 133:13 138:12 139:6 141:11 142:11 154:18 219:18 city 6:23 60:2 64:20 88:9,19 City-jf-149 194:9 City-jf-164 159:9 City-jf-4550 164:23	City-jf-64 220:1 civil 7:17 56:10,11 58:22 70:15,19 231:17 civilian 62:23 civilians 63:7 clarify 74:2 clarity's 13:8 32:10 58:21 classes 89:4 clean 27:10 clear 13:10 15:3 30:1 36:20 51:12 53:7 58:2 162:8,10 163:13 212:20 216:9 230:3,4 235:15 237:11 client 8:4 239:5,14,22 clients 235:7, 16 Clinton 173:25 174:2,3,5,12, 15,22 175:3,5 179:13 197:20 199:14,20,21 200:8 210:6,10 212:3 216:22 Clinton's 200:1 close 17:18 closely 198:17 closer 57:2 closing 16:10 clunky 128:2 co-accused 63:3,20 coerce 18:16 19:22 22:6,22 23:4,9 24:14 28:18,22 29:1 227:13 239:18
C cabinets 94:22 call 48:17 69:18 80:24 81:3,16 82:5,17 100:3,6 called 82:9 100:15 114:4,8, 17 137:20 148:17 175:16 220:20 calls 72:10 80:15 88:4 care 205:6,8 career 10:21, 22 14:9 21:19, 24 22:9 52:3 90:13 91:22 108:25 129:9 131:22 132:2,6 154:24 158:8 227:10,12 case 6:13 7:19 8:21 9:7,10,14 11:18 18:3,4,7, 9 19:20 22:25 32:4,13,15 49:1 51:24 55:21,25 56:4,11 57:6,10 58:9,19,22 59:1,10,11,14, 22 60:3,6,9,16, 22,25 61:10 62:13 63:3,20, 24 65:3,6,9,19 73:21 75:7,10 76:9,13,14,18, 22 77:2,6,10, 15,22 81:13,18, 20,23,24 82:14, 17 83:10,13,17 84:20,24 85:1, 4,8,12,15,20,24 87:17,21	cases 8:20 9:3, 11,12,15,17,20, 22,25 10:3,5, 10,12,17 56:13 61:2,7 135:19 139:7 140:3 142:14 180:18 215:3 category 30:5 Central 6:7 54:14,19 64:13 107:5,10 151:20 201:13 230:23 240:14 241:17 Certificate 83:13,16,21 84:15 chairs 97:18, 21 99:12 challenge 233:16			

coerced 19:3 20:5,19 21:10, 23 22:13,17 23:1 31:24 32:12,14 60:8, 15 62:14	complaints 61:15 62:2,6	97:19 99:20,25 101:12 157:22	conversation 68:7 82:11 133:19	15,19 12:6,7 13:2,3,19 14:21 15:6 17:2,8,9 21:10 22:6,7, 10,11,13 25:20 26:6,12 29:18 37:14,20,23 38:17 39:24 40:11,12,24 41:25 42:3,15 45:4,16 46:16, 21,22 50:4,8, 10,11 52:2,9 59:14 60:16 61:8 68:17 70:21,25 72:3 73:6 77:22,23 78:4,18,19 80:12 83:1,13 84:5 85:5 86:21 87:10 88:12,13 90:21 91:6 92:10 93:12 95:3,21 96:1 99:9,10 100:24 103:15 107:17, 22 108:18 109:12 112:3, 12 114:5,9,14 116:18 118:24 124:2 127:3 137:25 138:25 139:21 142:6 143:1 144:7 147:14,25 150:13 154:6,7 155:4,15 156:5, 9,10,14 157:6, 14 158:10 159:21 160:3 161:21 163:3, 16 164:5 167:21,24 169:1,5,16,21, 25 170:18,22, 25 171:15 172:21 173:12, 13,21 174:9 176:9 179:9,25 180:4 181:1,11, 14,16 182:11, 12,17 183:10 187:23 189:3, 16 190:2 191:5 192:11,14,21 193:9,18,24
coercing 59:3 65:8,16,18 228:8	complete 237:13	confer 236:4	conversations 36:24,25 37:8, 15 67:22 71:8 73:24 74:16 78:21 79:4,8, 12,17,20 80:1,5 84:19 88:5	
coercion 228:15	complexion 204:19	confirm 155:18 181:19 196:16 198:10	conversely 115:22	
cold 9:17 10:5, 9,12,17 215:3	computer 49:13,18 137:16,18 138:6 182:25 183:1 203:22, 23	confirmed 181:25 182:9 196:17	convicted 7:25	
colleagues 229:21	computers 121:17	confuse 212:13	conviction 8:7 83:1,10	
collect 112:25	conceal 25:11	confusing 212:12	convictions 9:25	
college 88:25 89:4,5	concealed 27:21 28:3	connected 49:7 97:1	Cook 137:21 139:21,24 140:3,7,14	
color 105:8 123:7 163:21, 24 207:14	conceivable 233:10	connection 215:7	Cooper 28:9, 13,18,22 29:1 38:3,6,7 39:22 40:9,13,23 41:4,7,14 42:6, 8,18 43:1 44:5, 7,9,13,16 50:22 78:21 79:1 149:13,15,18, 22,25 150:6 163:14 166:15 171:23,25 172:5,20 173:4 174:15,19 175:6 185:24 186:2 189:25 190:2 200:4,8 203:12 224:1	
colors 105:4	concerned 156:21 170:12	considered 106:9 112:8	Cooper's 222:2	
column 187:10,11 188:7,13,14,16, 17 189:13,18, 19	concerns 7:20	Constantly 133:8	copies 86:23, 24 150:21	
commander's 95:10	CONCLUDED 241:18	constitute 11:21	copy 75:1 159:24	
committed 106:2,8	conditions 54:22	constituted 163:15	Corky 62:11	
commonly 131:11 134:18	conduct 12:21 14:8 15:22 99:21 104:23 105:2,7 130:11, 23 131:11,17 132:7,11 134:25 135:5 136:5,13 236:12	constitutional 16:22 17:11,23 229:6 231:1 232:14,18 233:5 234:11 237:22	corner 98:5 220:17	
communicate d 120:25	conducted 11:16 12:10,13, 18 14:19 15:9, 18 16:1 38:20 41:2,3 52:6 75:3 76:9,12 98:18 104:9,14 130:4,20 131:21 136:24 145:13,21 147:5,13 149:24	contained 40:18	correct 8:1,4,7, 11 10:2 11:1,4,	
communicatio ns 215:11	conducting	contemporane ously 181:20		
compare 127:8,12 188:3		context 231:25		
complaint 62:10,19,22 63:7 64:17 70:15,18 81:25 82:5 84:24 85:21,25 86:12, 19,25		continuing 236:4		
		contribute 121:15,16		
		convenient 217:18		

194:4 195:16, 19 196:13,25 197:3,14,18 198:14 199:23 200:2,5,10,13, 18,24 201:17, 19,24 202:15, 22 203:3,9,14, 18,24 205:4 206:23 207:3, 22 208:24 209:9 211:19, 24 212:23 214:6 215:18, 21,22 218:11, 14 219:20,23 220:18,24 221:5,9,25 222:5,8,22 223:1,17 224:4, 9,18 225:2 226:7 227:25 228:9 229:23 231:2 232:15 233:21 237:6,7, 8,9 240:23 Corrections 160:10 164:4 correctly 17:17 51:8 237:6 corroborate 36:5 corroborated 37:5 corroboration 36:9,10 counsel 6:13 7:6 County 137:21 139:21,24 140:3,7,14 couple 52:7 61:23,25 73:16 81:21 82:2 87:13 94:19 courses 89:6 court 6:5,11 52:14 83:25 84:4,7 108:4	110:9,13,14 119:19 136:7 152:13 154:13 215:11 233:16 236:15 courtroom 52:24 courts 135:10, 12,17 cover 203:16 covered 67:13 108:16 110:11 CR 63:24 created 221:2 224:16 crime 7:25 30:4 33:17,21 48:4 52:12 106:2,8 116:11 221:23 crimes 90:10, 11 91:20,21 92:4,10 94:18 criminal 56:7 112:12 135:8 178:20,21 214:5 criteria 137:9 143:22 204:1 208:8 217:24 219:4 cross 194:1 cross- examined 114:9,17 CRS 61:21 current 169:22 Curtis 183:25 cut 220:17 D daily 105:22 dark 93:20 Darnell 63:8	184:19,20 date 8:13 10:25 11:2 54:18 57:2,3 161:18 178:3 189:12, 15 193:20,21, 24 195:8,9 196:15 201:12 207:20 230:22 240:22 dates 10:8 Davidson 62:24 dawned 209:12 day 6:6 68:10 70:2 92:20 days 210:5 daytime 95:12 death 7:21 33:25 debate 235:19 December 7:20 220:23 decide 138:18 143:15 decided 9:7 157:10 dedicated 95:15,21 96:1, 3,10 defendant 6:21 8:10 57:8, 16 59:13 60:3 defendants 57:13 define 30:7 definition 13:4,11,13,22 14:2,3 30:10,25 112:20 degree 86:15 delay 23:25 deliberately 25:11 27:21	28:3 delivered 70:20 demeanor 110:11,13 denied 43:20 dep 68:16 72:9 department 7:22 55:15 70:13 89:11,20, 23 90:2 94:14 103:18 104:3, 24 105:3,6 106:11,23 125:20,23 134:10,24 137:22 138:3,4 140:2,18,21 141:2,7,13,18 144:23 145:3 158:12 160:10 162:22 164:4 172:11,13,21 174:5 176:2 177:16,20 187:18 192:8 196:17 199:23 200:9 217:10, 15 Department's 152:9 depend 138:15 Depending 131:2 depends 123:14 124:10 depo 79:9 88:6 159:6 deponent 6:20 236:1 deposed 52:2 55:10,14,20 56:9,13,17 59:11 61:2,7,11 81:19 deposition 6:8 7:16,19 16:12 18:1,8 26:20 52:6,20 53:3,18	54:17 64:11 66:3 67:19 71:9 72:12,21,25 73:3,18 74:19 76:4 78:7,22 79:5,13,23 80:2,6,25 81:4, 9 87:25 107:8 151:18 159:18 160:1,6 165:8 177:14 201:11, 16 213:16 220:13 230:21 231:6 235:25 236:6,8,10 240:12,20 241:18 depositions 55:17 depth 75:16 Derell 185:13 describe 129:3 140:19 description 94:14 designate 99:5 desks 95:2 detailed 225:21 details 85:2 detective 9:4 17:4,7,10,15, 19,22 19:2,16 20:4,19 21:6, 10,23 22:5,8, 16,22,25 24:13, 17,24 25:4 27:20 28:2,21, 25 31:5,9,13 32:24 33:3 57:18 62:17 63:1,2,19 73:2, 4,12,18,25 74:5,6,11,12, 17,18 75:15,23 76:3,8,11,17,21 77:1,2,5,6,15, 20,25 78:4,6, 17,20,24 79:3, 7,11,13,16,19,
---	---	---	--	--

22,25 80:4,9, 15,24 81:2,4,8, 18,22 82:5,13, 16 84:13,20 85:8,11,12 88:2,3,5 89:24 90:4,8,9 91:5, 15,19 92:1,14 93:11,24 99:21 104:24 105:3,7 109:2,10 111:9, 25 112:2,6,9, 21,25 113:3 114:4,8,11 116:8 118:9,22 120:25 121:1 126:23 127:5, 14,15,24 128:7, 8,10 130:10,19, 25 131:12 132:10 134:2 140:22,23 152:1 156:4 158:13,17 179:19 180:3,7, 9,15,21,23,24, 25 181:10 192:8 197:25 198:1 211:22 219:16 226:14, 17,20,23,25 227:11	Devery 183:18 difference 41:10 111:14 235:17 direct 7:7 214:14 directly 124:20 disagree 83:5, 19 disciplinary 61:15 62:2,6, 10,18,22 63:6, 24 discipline 64:17,23 discussion 236:4 disposal 217:16 dispute 199:5, 7 203:20 district 6:11,12 90:6,20 91:4 103:8,9,13 division 6:12 93:12 94:8,15 Dixon 141:20, 23,25 142:6 143:1,11,13,16, 19,23 151:8 160:11,18 168:1,2,7,8,21 169:4,7,10,12, 14,19,25 170:4, 7,9,18,22 195:14 201:22 202:10,25 203:5,9 204:3, 24 205:16,21 206:2,9,15 Dixon's 204:20 Dixons 205:10, 12,17,18 document 47:12,16,22 113:3,7,14,19, 25 114:12,18, 23 115:2,6,17,	23 116:2,11 117:10,17,19 118:15,23 119:5,20 120:5, 10 121:1,5,19, 23 122:15,21 123:6,8,12 124:1 126:7,11, 14 134:2 144:18,23 145:4,16,20 146:3,12,17 153:3,10,11,13, 22,25 159:7,14, 17 174:17 175:4 177:11, 17,18,21 181:14 182:15, 16,23 194:10, 16,19,23 195:2 198:4 208:18 213:11,13 214:1,4 219:22 220:4,9,15 221:1,7,15 231:5 documentatio n 187:19 documented 47:20 115:14 126:15 175:7 208:22 210:9, 11 documenting 47:22,23 119:10 120:14, 21 146:9 208:13 documents 66:14 69:23 70:13 120:14 163:11,12 213:16 door 72:18 doorway 223:22 double 192:23 doubt 35:1 46:19 dropped 24:7	drug 48:19 drugs 48:18 due 25:22 234:9 E e-mail 71:13 earlier 14:18 39:8 57:19 77:14 116:16 136:19 159:25 161:8,10 167:23 180:6 201:16 207:21 208:12 213:15 215:2 221:5 227:25 ears 218:24 ease 18:1 easier 159:7 176:21 easily 122:23 east 97:5,9 98:2,6 Eastern 6:12 education 89:8 Edward 28:9 38:6,7 39:22 78:20,25 149:13,15,18, 22,25 222:2 electronic 176:8 else's 213:23 Emmett 23:5,6, 10,14 24:25 25:12 79:3,8 222:8 employed 89:12 employee 90:1 employment 10:16,23 55:15	encompassed 98:7 end 10:21 97:25 98:4 131:22 132:2,6 226:10 engage 134:20 engine 176:16 177:20,22,23 entered 231:4 entire 21:19,23 100:18 202:16 entirety 66:8, 10 213:12 214:8 establish 87:21 estimate 81:6 et al 6:10 57:7 Eventually 148:9 everything's 162:4 evidence 29:5, 11,16,17,20 30:3,10,16,17, 19,25 31:6,10, 14 32:7,18,21, 25 33:4,8,12, 19,23 34:5,6,14 35:14,17,23 36:1 37:16 45:7,12,24 46:4 48:1,20 59:5,8 60:22,25 65:3,6 66:25 83:8 113:1 120:21 121:12 147:4 231:6 234:8,10, 19,23 235:2 238:7,19 exact 10:24 11:2 41:17 232:8 234:3 236:24 237:4 EXAMINATIO N 7:7
---	---	--	---	--

Excellent 18:12 185:8	extensively 222:11	54:4 55:10 74:2 77:20 92:6 114:15 119:22 181:10 192:13 193:12 197:13 198:18 218:6,7 219:5 238:16	18,20,24 125:7, 13,17 129:24 130:5 160:7 162:5 165:13 169:15,21 174:12 175:19 177:12 179:4 188:25 198:6, 14,21 199:3 202:2,11,13 208:19,22,24 209:9,23 210:20,25 211:4,7,10,14, 19 212:7,9,23 213:3 214:17 221:12	168:5 187:17, 22 fingers 128:2 finish 140:10 178:8 finished 90:12 finite 205:11 firm 6:17 fit 48:5,6,16 101:19 fits 49:6 five-minute 229:21 flat 98:22 Fleming 226:12,18,20 Fleming's 226:14,24 Fletcher 6:9,16 8:1,3,9 23:11, 14 24:15,19 25:1,6,12,20,25 26:6,11 27:13, 22 28:4,13,19, 23 29:2,5,16 30:4,18 31:7 33:16,20,24 34:7,16 35:9, 13,15,20,24 36:2,6,11 37:2, 9,17,22 38:1,9, 15,23 39:4,14 40:6,10,14,19, 20 41:15 42:3, 7,8,19 43:18, 20,23 45:8 46:5,24,25 47:1,9,13 48:2, 3,12,14,20,24 49:16,23 50:6, 13,21,22 51:1, 10,13,17,23 79:22 80:1,5 83:10,12,16,23, 24,25 84:3,14 86:7 148:15,16, 17 151:3 155:15,18,19 157:5,13
exception 81:9	eye 207:14	false 18:17 19:3,22 20:5,19 22:17 23:1 62:14 65:9,16, 18 152:25		
exchange 121:10	eyes 207:18	falsely 23:10 24:14 25:1 28:22 29:1		
exculpatory 29:4,11,21 30:3,10,16,25 31:6,10,14 32:7,18 59:8 60:25 116:4 118:23 119:5, 10,20 120:5,10, 15,21	eyewitness 153:1 227:11 239:2			
Excuse 192:24	<hr/> F <hr/>			
exhibit 158:24, 25 159:1,8 164:21,22,23 165:4 176:20, 22 177:4 188:3 193:23 194:9, 13 196:8 206:16 209:1,2 213:7,8 215:24 219:25 220:2	fabricate 32:21 238:19	falsifying 65:3	filed 8:10 62:2, 6,10,23 63:7 64:17	
exhibits 159:4	fabricated 32:25 33:4,8,12 234:8,19,23 235:2 238:7	familiar 14:5 17:4 19:19 29:12 36:6 37:18 52:5 63:9 101:2,8 103:19 119:14 130:10 134:24 136:3 177:19 211:23 212:9 224:3,8 226:17	files 94:21 95:22,23 96:1, 4,7,12 125:1 137:7,16,18	
exonerate 30:4,18 115:25	fabricating 59:5 60:21	fashion 118:4	fill 206:22	
exonerated 29:5 31:7 84:15	face 100:10 205:5 206:13	fast 117:22	filler 204:19,23 205:10,15,22 206:8 207:6,9, 17,24 208:8 217:25	
expect 121:5	faces 45:2 206:6 208:4 217:21,24 219:2	fatter 219:2	fillers 102:10, 15 103:5,6,10, 18,23 104:5,9, 15,24 105:3,7 106:10,23 145:16,20 146:4,17,22 204:2,9,14 206:1,5	
expectation 132:14,20,24	facial 206:8,17, 21 218:13	February 8:16 10:10 11:4 147:22 148:11 149:5 161:17 173:2	final 47:15,23 189:19	
expected 121:1 132:10	facility 109:18 182:11	fellow 216:21	find 104:8 176:21 205:10, 11	
expecting 26:20 213:12	facing 100:2,3, 13,24 101:17	felt 129:5,15 143:6 228:14	fine 23:23,24 24:2 136:7 225:20,23	
experience 112:12 119:7 127:5 141:2	fact 19:6 25:11 27:21 28:3 35:12 47:12 84:14 113:17 153:22 164:17 188:15 192:21 193:15 199:10 204:3 209:21 221:14 223:19 228:20	Female 69:10	finger 188:24,25	
experienced 112:8 114:4,7, 11	facts 113:7 116:1	field 116:14	fingerprints	
explain 217:13 218:1	factual 62:1	figure 58:4 211:9		
explained 114:13	fail 153:3	file 16:9 66:6,7, 12,13 94:21 95:21 96:11,18 115:15 124:16,		
	failed 154:3			
	fair 9:22 26:10 36:20 53:16			

160:17 161:20 164:16,18 167:24 168:3 169:18,24 170:8,17,21 171:9 173:20, 25 174:2,3,5, 12,15 175:3,5, 10,16,23,25 176:6 177:8,25 178:15,18,23 179:9,13 181:14,19 182:10 183:4,9, 14,18,21,25 184:2,7,9,19,23 185:1,14 186:2, 22 187:3,25 189:2,16 190:1 193:21 194:2 195:6,8,13 196:18,19,24 197:2,10,18,20 198:2,5 199:12, 14,19,20,21 200:1,8 201:22 202:10,18,24 205:23 206:2,5, 9,15 207:2,14 208:1 210:6,10 212:3 214:3,5 215:14,18 216:1,7,8,22 217:11,14 218:5,11 222:25 223:5 Fletcher's 8:6 16:21 17:11,23 18:13 48:9 49:3,9,12,15 83:1 184:14,20 196:1 199:11 203:13 204:20, 24 207:21 Fletchers 210:8 floor 94:7,9,11, 17 95:6 96:24 97:1,7,25 98:1, 8 103:16 folder 116:15 follow 130:16 135:7 175:22	189:5 238:4 239:17 forget 38:5 forgive 89:17 forgot 34:22,25 89:17 159:3 forgotten 153:9 form 11:25 12:22 20:22 22:19 23:15 24:20 25:7,14 26:13 27:15,24 28:5,14 29:7 32:2 34:9 45:17 50:14 51:2 57:22 65:13 68:21 77:7 84:9,16 104:17 106:17 111:20 113:10 117:12 119:24 125:15 127:1 134:5 136:15,16,17 142:20 144:19 146:8,10 156:15,25 158:21 161:12, 15 162:14 164:10 166:10, 11,16,22 174:20,23 181:3 190:3,11 191:10 192:2, 22 193:16 197:4 209:24 220:18 223:8 224:10,19 225:13 227:16 228:11,23 229:7 232:13, 18 formal 113:9 124:18,24 125:7 formally 134:2 format 124:2 238:12 forms 107:20 forward 100:17	found 8:22 57:21 168:4,6 179:15 foundation 19:25 20:6,22 22:19 32:2 65:13 84:10 101:3,22 104:18 111:20 142:21 144:20 156:15 166:16, 22 190:3,11 197:4 223:9 224:11 Fran 39:4 frequently 121:9 friend 18:17, 21,22,23 19:2, 3,17 35:2,12 38:3,8,9,15,22 39:14,17,21 40:5 42:14 44:18,19 46:7, 20,23 47:1,9,13 50:20,22 73:10 78:7,17,25 148:20 149:6,9 150:13 163:15 166:21 203:12 222:8,22,24 223:4,16,21,23 224:8 226:6 Friend's 78:11 front 100:7 123:21 full 206:25 fully 20:8 113:25 future 235:7,16 G Gates 226:12 gather 137:2,5 gave 45:7 49:22 50:25 159:3 210:6 214:5,23	genders 104:25 general 75:7 76:14 81:13 89:25 95:1 96:19 128:21 133:19 136:25 221:21 223:15 224:16 225:7, 24 generally 10:19 52:5 99:24 100:1 111:7,12,17 112:12 119:18 generate 145:12 Gilger 219:12, 14 221:3,4 222:20 224:7 225:16 226:5 Gilger's 226:15 give 7:3 23:1 52:19 53:8,14 54:22 55:3,7 89:25 94:13 110:9 214:2 224:1 giving 30:9 108:4 155:11 214:11 216:15 glass 97:9 98:12 good 6:15 7:9 24:4 49:6 73:10 112:15,18,20, 25 113:3,23 119:21 135:8 141:24 143:4 178:3,4,10,13 212:22 224:6, 15 225:11 226:25 govern 101:2 130:19 governed 101:9,20 104:4 106:23 111:24	governing 111:18 130:11 135:5 144:23 governs 136:4 GPR 67:1 116:11,14 117:17,20,22 118:5 121:24 122:7,11,15,17, 21,22 123:3,6, 8,13 124:1,6, 14,17 125:9,20, 23,25 126:6,7 127:2 GPRS 67:1,6,7 116:8,17,20 117:23,25 118:2,16 122:1 124:4,8 125:5 graduate 88:14,21 Grand 92:8 ground 98:22 group 13:12 15:1 149:17 161:7 164:23 173:18 202:16 guess 8:8 14:1 29:19 30:6 34:11 53:17 58:10 60:10,11 104:19 130:1 134:14 138:16 143:18 182:21 185:20 186:6,8, 9,14 188:20 198:15 200:25 201:3 217:18 guessing 13:25 179:14 212:16 guilt 35:6 guilty 33:16, 20,24 57:21 gun 48:18,23 guns 49:1 guys 73:5,20 75:5 82:10
---	--	---	---	---

127:8	heard 83:14 119:7,13 127:11,12	hour 69:16 70:7 72:1,2	154:6	implicated 45:7 48:3,21,25
H		hours 53:19 69:21 71:23,25 72:3,8 240:5,17	identify 6:14 23:14 24:19 25:12,20,24 26:5,11 27:12, 22 28:4,13,19 38:9,22 40:5,13 44:10,14 45:1,3 134:20 148:14 149:11 154:3, 10 165:20 173:12 174:19 175:7 205:3,5 206:13 227:13 228:9 239:19	implicates 35:14 46:5 50:6
habit 191:1	height 99:5 206:1	house 96:7		important 19:15 52:16,19 53:5 113:7,16, 19 114:2,12,18, 22,23 115:2,6, 17,22 124:17 126:25 156:5,7 208:18,20,21 218:4
hair 105:8,11, 14 106:5,9 206:8,17,21 218:13,16	held 130:1	housing 96:1,3		imposed 64:24
hairstyle 105:17,20 204:22,24 205:6 207:8	helps 124:4 130:7	How'd 172:9		improper 152:8,12 156:18 162:21, 23 163:2 164:7, 14 171:2
hairstyles 105:18,22	Henry 183:21	I		improperly 156:8 157:21 158:8
Hale 6:20	Hey 23:17	ICAM 176:11, 14	identifying 123:2 160:13 162:24 175:2 207:12	improved 87:22
Hale's 87:6	high 88:15,17 89:8	idea 10:14 61:24 82:15 86:17 96:19 140:5 141:24 143:14 157:25 172:25	IDOC 137:21, 24 138:5,7,11, 13,18,24 139:3, 7,13 141:12,17 142:4 143:5,6, 9,15,19,20,23 144:7,12 147:24 160:16, 22,25 161:19 162:12 164:2 167:18 169:13, 18,25 181:18 182:10 193:23 196:16 201:16, 20 202:9,13,18, 22 203:8,14,17, 20 204:8,14,23 207:24 217:5,6, 14,20	in-person 159:6
half 69:16 91:1	highly 82:18, 20 225:15	identical 98:14		inappropriate 235:25 238:13
hand 6:25 9:11 116:17 128:11	hired 90:8 91:7	identification 14:12 35:2 41:8,9,11,12 42:7,21,22,25 50:16 134:11, 12,16,25 135:6, 23 136:5,10,14, 17 144:25 145:1,21 146:5, 19,23 147:1,6, 13 149:9 150:7, 9 152:13 153:1 156:4,14,22 157:14,21 158:2,9,19,25 165:4 171:3 177:4 194:13 200:5 213:8 220:2 239:2,11		incarcerated 169:13,18 170:4,9
handcuff 97:15	hit 58:20	identifications 135:19 136:2	Illinois 6:12 160:10 164:4 168:7	incarceration 169:23
handful 95:14	hold 96:17 191:25 241:7, 13	identified 34:2,4,16,17,19 35:8,9,10,11, 13,20 37:22 38:1,15 39:4,14 40:10 41:15 42:8,19 45:13, 15 50:21,22 134:17 153:21	impeach 29:20 30:19 232:3	incident 43:21 220:20,23 223:4
handling 58:24	Holding 59:2		impeaching 232:22	include 124:6 154:4,5 173:20 208:18,24 209:8 211:7,14, 24 224:7,17 225:12
hands 86:20	home 131:14 150:1 172:2		implicate 23:10 24:14 25:1,6,24 27:12,22 28:22 29:1 34:7 49:4, 5 152:15,22	included 210:20,23 211:18 212:9, 23 213:3 224:9 226:3,6
handwritten 47:20 67:7	homicide 8:7 90:12 92:1,11, 12,14 93:12,24 94:8,14,19 96:12 111:9,25 114:1,8,19 116:8 117:9 118:9 126:9,23 127:14 130:10, 19,22,25 131:5, 8,9,12 132:10 136:25 192:8			includes
happen 85:1	homicides 92:4 117:17 214:19			
happened 56:2 86:1,2 102:16 122:15 129:9 202:17	honest 57:25 65:22			
happening 82:19,21 177:2 235:25	honestly 186:16			
happy 82:12	hope 208:25			
hard 112:22				
he'll 36:22				
heading 188:19				
hear 21:3 44:11 106:13 192:24 234:20				

226:16	116:3 117:11, 17,20 118:15, 23 119:5,10,20 120:6,10,15,24 121:1,13 122:11,16 123:25 124:3 125:9 132:11, 15,21,25 133:6, 10,14,21,23 134:3 154:4 155:11 160:13 162:24 175:18, 22 182:16 203:13,17 207:12 208:13 211:10 212:2 215:25 216:18 224:7,17 225:11,17 226:2	intention 142:24 143:3 intentionally 186:20 interacting 219:11 intercom 99:18 interest 101:25 102:3,8,15,23 107:1 137:3 internal 187:19 internet 137:6, 7,13,15 interpretation s 186:12 interrogating 236:1 interrogation 63:12 interrupt 235:13 interrupting 236:2 interview 94:23,24 96:20 97:12,13,20 108:11 122:21 123:6 127:9,17, 20 129:21 130:4,11,20 131:1,4,7,8,16, 18,19 132:11 133:14 134:4 173:1 interviewed 117:16 225:25 interviewing 108:7 110:18, 23 117:10 122:10,13,14, 19,25 123:5,10 126:5,9 127:23 128:13 129:5, 15,19 130:16 interviews 130:23 131:12, 20 132:7,21,25	133:10,22 intimidate 129:1,16 intimidating 123:20 128:22 129:6 inventoried 145:2 151:2 202:14,16,23 inventory 145:7,9,22 146:2 147:3 151:4 153:15, 18 161:14,25 162:16,20 163:18 175:8 investigate 116:10 investigated 114:5 investigating 117:9 181:7 investigation 7:22 8:14 10:25 11:7 12:9,10, 14,20 14:20 16:23 17:8,12, 20,24 18:3,9, 10,14,18 19:4, 23 20:20 21:7 22:10,18 23:11 24:15 25:2 27:13 28:23 29:2,6 31:11, 15,21,25 32:8, 19,22 33:1,5,9, 13 40:7,11,14 43:8,9,10 47:8 49:4 56:7,19 58:14,15 76:5 84:25 86:21 113:5,8,15,21 114:1,14,20,25 115:4,8,19,24 116:4 118:11, 16 119:6 120:7, 16,25 121:21 162:13 167:13 175:14 179:24 180:7 208:14 211:3,13,17 212:21 213:2	221:8 investigations 118:3 investigative 14:11 66:6,7, 12,13 115:14 121:20,23 165:13 169:15, 21 174:12 175:21 198:6, 14,21 199:3 202:2,11 208:19,22,23, 24 209:9,23 210:20,25 211:4,7,14,19 212:9,23 213:3 221:11 involve 105:7 involved 39:19 58:22 63:12,15 77:22 85:2 229:22 involvement 77:6 involving 62:23 63:7 158:19 IR 140:24 168:4,6 187:13, 22,25 188:5,14 189:2 194:3,4 196:1,5,9,16 IRNBR 187:12 irrelevant 237:2 issue 36:23 146:10 197:21 236:19 issues 107:13 240:20 J J-E-R-O-M-E 7:13 Jail 137:21 139:21,24 140:3,7,14
--------	--	--	--	--

James 6:9,16 8:1 25:12 33:15 148:16 160:17 168:3 178:18 186:22 187:2, 25 189:2,15 190:1 195:6,8 196:18,19 197:2 199:10, 12 202:24 203:13 219:12, 14 221:3,4	<hr/> K <hr/>	lawsuit 8:10,11 70:16,19	45:9,25 46:3 50:21 94:22 97:24 98:10,20 99:8,12,14,25 100:2 101:12, 13,21 102:19 103:1,6 105:25 106:1,7 153:12, 24 154:1,2 173:10,11,12 228:14,18	236:14 237:24 long 53:19 69:14,20 70:6 71:19,22 72:16, 18 90:17 91:16, 19 117:2 120:17 142:2 240:3
jeopardize 156:9	Kevin 9:4	lawyer's 238:4 239:17	layout 94:14 95:17,18 96:19	longer 69:19 129:12
Jerome 6:8,10 7:13,16 54:17 64:11 107:8 151:18 201:11 230:21 240:12	kind 87:20 91:12 96:16 112:1 116:20 118:19 119:4 120:19 121:11 122:6,16,22 128:2 158:19 190:14	learn 36:10,15 37:1,9 49:21 50:5 103:22 113:4 120:24 132:11 134:3 154:14 208:19	lineups 34:12, 18,19 76:12 98:18 99:5,21 101:2,9 102:14, 17,21 103:18, 21,22 104:5,10, 15,23 105:2,7 106:10,24 134:18 153:14, 18	looked 9:21 41:18,20 46:7 66:4 76:20 87:12 104:9 106:1,7 128:21 160:7 165:5 169:11 175:14 177:15 205:22 212:6 215:24 218:5,11
Jimenez 59:12,13 60:22, 25 227:23 228:21 229:3,9, 12 231:5,11,14 232:4,9,18 233:21 234:2, 11 236:17 237:25 239:3, 12,19,20 240:21	knew 34:1,16 35:8,12,19,24 36:2,11 37:17 43:19,25 44:5, 7,25 45:13 46:20,23 47:1,4 81:19 114:3,7 136:6 155:1,15, 19 156:3,7,11, 12 167:24 170:11 175:9 216:7 219:14 223:16 224:3,8, 18 225:1	learned 36:8, 21 43:14 49:19 103:21 113:8, 14,20 114:1,14, 19,24 115:3,7, 12,18,23,24 116:3 118:15, 24 119:6 120:6, 15,23 121:4 122:11,16 123:25 132:21, 25 133:7,10,14, 21 136:8 175:18 208:14 215:25 224:7 226:5	link 7:18 138:6 linked 187:22 lips 218:21 list 185:14 197:25 199:11, 15 200:13,17 221:24 listed 78:11 187:11 195:13, 17 196:19,24 202:10 222:2,5, 8,13,15 226:10 227:4	lose 152:13 loss 154:12 lost 192:24 lot 66:23 112:11 140:22 159:7 209:14 225:16 louder 177:1
Jimenez's 229:5 231:1,17 237:22 238:20	knowledge 17:13 23:3 24:16,22 25:3,9 27:23,25 28:7, 24 29:3 31:12, 16 32:9 33:2,6, 14 40:5,8 43:13,20 64:4 65:21 74:7	leery 96:16 left 123:24 129:12 220:17		<hr/> M <hr/>
Jimmy 148:17		left-hand 187:10		M/b 223:21
job 64:24 112:1,15,18,24 114:21 124:25 130:23 135:11	Kortney 6:4 54:18 64:12 107:9 151:19 201:12 230:22 240:13	legal 119:5 letter 188:8 levied 61:15	listen 238:23 listening 236:2 literally 186:20 loading 223:22 located 92:7 94:5 96:24 97:24 locked 103:8 lockup 103:7, 10,13,14 lockups 103:24 Loevy 6:8,17, 18 233:12,15	made 41:8,9 42:6 48:24 119:19 164:18 175:15 192:14, 16 209:8 211:18 212:22 236:14 main 34:11 94:6,17 95:11 97:1 98:1,8 140:1 make 12:15 13:10 30:1,22 36:20 38:14 49:13 52:7 53:7 73:23 100:8 104:8 113:24
join 23:22	Kourtney 235:22	lie 52:11		
journal 118:19	Krystal 6:5	lined 100:12 lines 120:20 134:9		
judge 52:24 83:7,9 236:15	<hr/> L <hr/>	lineup 12:9,13, 17 13:6,9,10, 13,14,15,16 34:4 35:10 39:5,6,9,13,15, 19,21,22,23 40:1,4 42:12,18		
judgment 57:12 58:3 59:23,24 60:1	larger 219:2			
Junior 6:9 7:21 220:24	lasted 90:9 91:16			
justified 236:20	law 6:17			

115:11,13 116:7 121:18, 19 124:17 125:7 126:19 133:5,9 134:21 145:9 149:9 155:10 156:1, 23 157:18 162:7,9 163:12 193:9,15 194:2 204:5,6,7,13, 18,22 205:21, 25 206:4,7 207:5,17,19,24 208:23 210:19 219:5 227:9 237:18 makes 23:19 114:21 209:14 210:13 making 190:14,19 193:4,7 male 189:9 215:13 223:21 man 7:21,25 manipulate 227:11,13 228:20 239:1 manipulating 228:8 Maniscalco 226:12 March 38:11, 16,24 40:3 46:11,13 47:11, 20 149:1,2,6 189:16 207:22 214:16 215:6, 17 216:18,19 mark 158:23 159:8 164:21 176:22 183:6,9, 13 213:7 marked 158:25 165:4 177:4 194:8,13 213:8 220:2 marker 183:20	marking 185:19 marks 183:24 185:16 190:15 191:2,24 192:5 193:4,9,15 material 119:12 matter 6:9,17 7:11 56:18 104:19 105:9, 17,18,20 128:14 187:16, 21 205:2 212:22 218:16 221:18 237:1 mattered 105:12 matters 78:1 Maurice 63:8 183:4,9 Mcdonald 9:5 179:14,20 181:12 190:16 198:1 Mcdonald's 180:23 means 39:11 104:13 185:21 188:15,18,21 189:4,11,25 190:5 meant 117:25 medications 55:2 meet 68:19 72:11,16 74:13, 22 88:8 236:4 meeting 70:4 71:2,5,6,15,18, 19,21,24 72:2 74:3,8 75:3 80:10 meetings 70:1 71:7 72:5,8,20 87:24 88:1,5 member 61:11	memory 25:16 118:18 171:19 221:16 men 204:9,10, 16 205:15 mentioned 7:10 66:22 76:16 107:15 180:22,23 meritorious 91:10 met 88:1,2,11 middle 98:6 236:6,8 midnight 93:9 mind 236:3 minute 107:2 164:24 198:9 201:5 213:13 223:12 minutes 10:24 71:20 87:20 151:12 230:5 240:5,17 mirror 98:12 100:7,11,24 mirrors 98:15 mischaracteri zes 162:15 168:14,16 191:11 192:3 197:5 201:1 202:4 miscommunic ation 146:8 misconduct 65:24 misconstruing 235:4 236:3 misheard 32:11 misplaced 188:4 missed 199:13 Misstates 153:16	misstating 45:18 mistaken 169:6 moment 159:10 220:4 monetary 58:4 money 224:2 Monico 6:20 month 68:14, 16 69:6,15 73:16 107:16 148:23 150:14 months 71:6 72:6 90:9 91:15 morning 6:15 7:9 92:21 93:5, 10 Mose 183:14 motions 100:8 move 26:20 93:20 multiple 102:23 202:21 multitude 205:16 murder 33:16 34:7 35:15 45:8 49:7 56:6 215:7 <hr/> N <hr/>	narrative 222:17,18 223:20 226:11 national 188:25 necessarily 117:18 121:25 122:24 123:9 124:13 133:12 153:23 186:13 197:9,11 209:10 211:1 212:7 218:19, 22,25 219:3 needed 9:20 101:21 116:9 122:18 126:17 143:6 negative 145:5,7,10,14, 18 153:12,14, 18,23,25 154:2 173:10,11 192:23 200:5 211:1 212:6 neighborhood 35:3 223:1,5 224:24 225:5, 10 226:1 non-chicago 70:12 non-gpr 125:15 Noradin 17:15, 19,23 22:16,25 24:24 25:4 28:2,25 31:13 33:3 62:18 63:2 77:3 85:11 180:25 181:8 195:6,18 Noradin's 77:2 normal 15:17 44:21 53:2 92:20 142:8,10 225:22 North 97:5 Northern 6:12
---	---	---	---	--

noses 218:18	23	106:10,21	oftentimes 121:16	overview 89:25
note 128:1	objected 231:2	observed 223:21	older 8:20 9:3 214:18	<hr/> P <hr/>
notes 67:1,6, 10 118:1,2,7,9, 12 122:2,3,7 125:8,13,15,17 126:2,20,22,25 127:6,8,24,25 128:8,10,15,23 129:1,6,10,11, 17,18,23 130:4, 5	objection 14:22 16:17 19:25 20:6,14, 22 21:16 22:19 23:15,20 24:20 25:7 26:13 27:15,24 28:5, 14 29:7 32:2 34:9 46:9 50:14 51:2 60:17 65:11 68:21 77:7 83:2 84:9, 16 101:3,22 104:17 106:17 111:20 113:10 117:12 128:16 134:5 136:15, 18 142:20 144:19 147:7, 20 148:22 150:8 153:16 155:21 156:15, 25 157:15 158:21 162:14 164:10 166:11, 16,22 168:11, 16 170:23 171:5,21 173:5 174:20,23 175:12 181:22 190:3,11 191:6, 10,23,25 192:2 193:16 197:4 201:1 202:4 203:4 209:24 210:21 223:8 224:10,19 225:13 227:16 228:11,23 229:7 237:18, 23 238:22 239:4,13,21 240:25	occasions 68:1 127:17,20 occur 39:1 occurred 55:14 October 90:24 offend 39:13 offender 41:18 223:22 offenders 34:2 40:20 43:3,4 49:1 51:5,9,11, 14,17 173:18 175:16 215:13 223:25 224:3 offense 221:21 223:15 224:16 225:8,24 offered 51:23 89:1,5 offhand 110:7 119:17 office 87:6 93:25 94:1,3,7, 21 95:10,11,13, 20,23,24,25 96:8,11 103:12 131:15 229:9 231:15,21 officer 10:13, 16 14:13 15:18, 21 31:18 61:14, 22 63:20 64:19, 25 90:20 91:5 158:13,18 176:17 219:12 226:24 227:12 officers 221:23 226:10 227:1 offices 6:7 94:19 95:5,9,14 96:3,7 official 103:20	on-the-job 154:11,14 one's 176:21 one-way 98:12 online 176:8 open 95:2 opinion 83:18 84:7,11,14 104:19,21 157:5,6 226:23 opportunity 165:2 176:24 177:2 194:15 220:7 opposed 141:17 217:14 opposite 199:21 order 83:25 84:4,8 114:25 115:4 134:20 138:13 140:23, 24 159:5 189:22 199:25 236:10 orders 241:4 organized 97:14 98:10,24 99:12 original 108:19 179:23 220:16, 20,22 221:22 223:3 originally 51:22 58:6 221:23 outcome 57:10 outrageous 82:19,20 overlook 186:21	p.m. 92:22 107:5,10 151:20,22,24 195:11 201:13 230:18,23 240:14 241:17, 18 pages 66:12,13 pair 197:21 paper 87:1,4 118:5,7,8,12,17 123:17 125:9, 16,17 126:2 127:1 192:5 193:10 Pardon 186:7 parking 34:24 part 53:2 60:19 89:7 91:15 96:24 99:21 113:23 116:7 121:3,17 126:21 130:22 132:12 136:18 137:23 156:5 161:6 231:14 participant 43:15 99:19 participants 42:13 98:20,22 100:1,9 101:13, 16 parties 240:18 partner 8:19, 23 17:1 121:2,4 127:15 133:1,2, 6 144:14 160:24 partners 69:7 85:8 209:7 210:19 party 55:18 56:14,17 61:7, 11
notice 7:17 199:16				
noticed 179:3				
November 89:18				
number 6:13 100:6 102:4 123:11 137:2 140:24 158:24 159:8 164:5,22 166:3,6 168:4,6 176:22 182:24, 25 187:13,17, 19 188:4,5,14 189:2,7 191:9, 20 193:23 194:3,4,9,22 196:1,5,8,9,16 209:2,3 210:8 213:7 223:21, 23				
numbered 100:4				
numbers 121:13				
<hr/> O <hr/>				
oath 52:9,12				
object 11:25 12:22 25:14 36:16 45:17 53:2,7 57:22 73:22 119:23, 24 146:7,10 166:10 168:17 181:2 192:22 237:23 238:11,	objections 23:18,19,23 52:25 215:10 obligation 105:25 106:6 119:5 120:5 174:17 175:4 obligations			

passed 90:7 91:5	102:3,8,15 106:1,7 107:1	5,8,10,13,20 146:5,18 147:1,	203:18 204:7,8, 14,19,23	pick 152:2,18 158:14
past 61:5 139:22	123:21 127:25 128:23 129:12	5,12,16,19,25 148:3,10,13,18	205:22 206:8, 22 207:6,9,17,	picked 40:19 139:17 180:20
Patrick's 88:18	137:3 149:13 152:15 154:10,	149:5,6,16,17, 20,24 150:2,12,	25 208:9 217:14,15,20,	picture 143:5 159:19
patrol 90:6,20 91:3,4	19,20,22 155:6, 19 173:12,17	18,23,25 151:3 152:3,18	25 218:4	pictures 143:6
paused 20:10	187:16	153:21 154:9 155:3,4,18	photos 11:21 12:2,5,6 13:12	piece 45:6,24 46:4 118:6
pen 183:2	personally 32:21 118:14	156:12,13,21 157:4,11,13	15:1,9 40:19 137:2,5,10,11,	125:8 175:22
pencil 183:2	personnel 18:13 32:18	158:14 159:22, 24 160:3,11,14,	13,22,24 138:3, 5,13,18,24	pieces 34:6 45:12 118:8,12
pending 6:11 54:3,8	85:20 132:12, 15	16,18,25 161:20 162:22	139:3,8,14,19, 20,23 140:4,8,	place 46:8 53:16 101:1
penitentiary 141:23 168:7	personnels 33:12	164:8 165:25 167:6,16,20	14,18,21,25 141:1,3,4,6,12,	109:21 111:9, 23 130:11
people 13:16 45:14 95:12	persons 102:23	168:25 170:20 171:15,17,20	17,18,20,25 142:4 143:10,	134:23 139:18, 19
98:22 99:7,11, 14 101:21	pertains 125:4	172:1,5,12,19 173:18,19,23,	15,20,24 144:7, 9,11,15 145:24	places 137:12
102:18,22,25 103:6,8 106:1,6	pertinent 19:13 117:13	24 174:6 181:19 190:10	146:15,22,25 147:3,24 148:2,	plain 99:3
116:24 119:8 121:14 142:5,	121:12	196:16 199:23, 25 200:4,8,9	7,11 149:4,13, 14,16 150:15,	plaintiff 6:16 7:11
15,19 143:9,11, 16 144:1,4	peruse 214:18	201:21,23 202:1,9,19,21	17,18,24 160:5 166:7,24 167:3,	play 206:11
145:23 146:15 148:7 151:7	phone 72:10 80:15,24 81:3	203:13,21 204:2,9,15	4,11,18 171:17 172:4,10,11,13,	PLAYS 24:9 106:16 230:16
161:7 164:2 165:20 166:25	82:14,17 88:4	207:1,25 217:6 218:3 219:5	19,21,24 173:14,16,22	point 11:6,8,9 12:8,20 36:22
174:9 175:23, 24 197:10	photo 11:7,12, 16,19,20,24	228:14,18	174:9 185:23 190:10 200:1,	37:1 38:23 40:6 42:8 47:8,18
203:2 217:21 218:4,10,17,20,	12:4,21 13:1,2, 4,6,9,11,22	photograph 14:14 160:9,13	10 201:17,20, 23 202:18,22	49:21 51:16 53:20 86:19
23 219:1,2 222:10	14:1,19,23 15:1,5,8,9,18,	161:4,12,20 162:2,3,11,23,	203:8,12,21 205:9,11,15	87:10 90:11 108:24 111:15
perimeter 95:6	22,25 16:2 34:12,19 35:11	25 163:15,17 164:8,9,19	217:5,6,10 218:16	115:20 167:7 169:13,19,24
period 10:15, 19 111:13	38:11,16,19,23 40:4,15,17,18,	169:15,20 170:21 174:4,	phrase 137:16	211:3 226:21 237:2
116:19,23,25 122:4 124:11	23 41:2,3,16,24 42:5 45:9,16,	11,14,18 175:5 190:1 203:14	phrased 106:8 172:17 224:15	pointed 153:4, 6
139:2	20,21,25 46:3,6 50:20 76:8	206:15,17 207:2,11 229:2	234:16	
periods 21:14 22:13 111:14	134:19 136:24 137:14,24	photographs 15:19,23 16:2,	physical 13:14,15,16	points 97:17
permit 236:11	138:14,19 139:8,14,20,24	15 41:24 42:2 142:5 151:7	34:4 39:5,6,9, 13,14,18 40:4	Polaroid 165:24
person 7:24 43:1 62:11	140:4,15,19,24 141:8 142:2,8,	164:1,25 165:7, 12,18,21	42:12,17 63:16 64:1 86:23,24	police 7:22 10:13,16 14:13
63:8,24 68:20 100:18 101:24	12,14,15,18,25 143:10,19,23,	166:15,21 167:15,19	104:4 150:17	15:18,21 17:14
	24 144:2,6,9, 18,23 145:1,4,	173:4 189:24 200:24 202:13	physically 74:22 210:25	

18:13 31:17 32:17 33:11 55:15 56:18 58:13,14,16,18, 22 61:14,22 64:18,25 70:12 85:20 86:20 89:1,5,9,11,20, 22 90:1,5,15 103:17 104:3, 24 105:3,6 106:11,23 107:15,16,21 108:1,19,25 109:6,20 115:14 118:22 121:21 125:19, 22 131:17 132:12,15 134:9,19,24 136:4 137:7,20, 21,22 138:3,4 140:2,18,21 141:2,7,13,17 144:22 145:3, 12,17 146:14, 19 152:8 156:4 158:12,13,17, 18 159:20 160:2 162:22 172:11,13,20 174:5 176:2,17 177:16,19,21 187:18 192:8 196:17 199:23 200:9 213:17 217:10,15 219:12 224:6, 15 225:12 226:3,10,24 227:10,12 policies 111:8, 18,23 134:10, 23 135:2,3 152:9 policy 101:1,6, 8,10,19,20 103:18,20 104:4 106:11, 22 107:13 111:21 125:20, 23 130:10,12 144:17,23 145:3	poorly 106:8 172:17 portion 241:5 position 231:9, 12 232:2 233:1 236:9 positive 42:21, 24 45:21 46:6 91:24 143:17 144:25 145:4, 14,21 146:5,18, 23 147:1,6,13 149:9 150:6 172:16 positively 34:3 42:18 possession 148:12 172:8,9, 24 possibility 114:16 possibly 29:19 53:1 109:1 110:2 186:1 218:15 potential 229:12 potentially 29:17,20 152:22 Povolo 226:12 practice 15:17 104:8 113:14, 24 115:11,13 116:8 117:16 121:3,8,19 122:10 125:12 126:19 128:7, 21 130:15,17 132:1 133:5,9 134:10 136:13, 16 137:1,23 138:8 145:9 147:2 153:20 191:3,4,20,22 192:7,11,12 208:13 212:22 221:18 224:6, 15 225:11	practices 111:9 152:9 precedent 136:4 precedents 135:18,21,24 preparation 16:12 66:17 67:4,12,24 68:16 71:8 72:9,11,17,24 73:1 75:15 76:4 78:7,21 79:4,9, 13,23 80:2,6,25 81:4,5,8,12,16 87:25 88:6 159:17 160:1,6 165:8,15 177:13 194:24 214:9 220:12 prepare 66:2 67:18 72:21 preparing 73:3 74:19 presence 75:25 81:20,23 present 12:9, 13,18 19:8,9,17 21:5 22:9 39:7, 16 74:4,9,18 81:10 83:7 presented 8:22 pretty 9:16 10:21 17:18 90:14 230:2,3 previous 41:1 48:10,23 49:3 55:17 155:14 181:17 previously 39:15 45:18 47:7 171:14 182:3 197:23 200:22 205:4 213:14 215:24 216:3 222:24 227:7 primarily	181:11 primary 128:8 130:22 180:15, 25 181:7 print 150:21 printed 160:21 163:20,24 195:24 197:6,8 203:23 printer 163:21 printout 182:25 183:1 196:8,19,23 prior 10:10 49:12 80:14 153:16 162:15 223:5 prison 36:13 37:2,10 48:7, 10,13 168:9,21 169:4 170:5,10, 17 181:20 privilege 36:17 probable 50:12,25 problem 164:20 169:2 236:7 procedure 7:18 14:13 134:19 135:6 136:5,17 142:18 153:1 157:22 158:2,9, 19 171:3 239:2 procedures 134:11,13,16 135:1,7 136:10, 14 156:4 239:11 proceeding 231:15,16,25 233:24 236:16 proceedings 6:1 229:11 process 112:12 140:19 234:9	produced 182:16,20 professional 120:19 program 90:18 promoted 91:7,8 promotion 91:10,12 proper 142:18 168:24 192:19 properly 156:8 property 94:18 prosecution 156:5,9 prosecution's 30:20 protective 236:10 prove 29:18 30:5,18 provided 215:14 216:21 pull 159:7 pulled 205:9, 20 punitive 58:7 purpose 186:17 214:16 221:21 purposes 18:8 99:8 155:5 pursuant 7:17 put 103:1 105:25 106:6, 24 113:16 115:11,13 122:7,10,17,22 123:3 124:20, 23,24,25 125:16 126:18 140:24 157:7 171:13 176:19 191:2 202:1,9 207:1 208:5 209:22 210:25
---	--	---	---	--

214:19 putting 74:16 103:1 Q question 20:8 22:24 23:9 24:5,9 27:11 37:8 39:12 43:22 45:10 53:6,10 54:3,4, 6,8 58:3 65:15 106:13,16,18 113:11 136:15, 21 140:10 146:1 152:17 162:9 169:17 170:14,16 172:17 178:8 179:23 191:16 192:23 193:2, 14 205:12 210:17 212:19 214:15,21,23 215:5,8 216:2, 5,15 217:6 224:14,15,20 225:23 229:11, 14,15 230:13, 16 231:13,18 232:5,8,13 233:4 234:4 236:25 237:4, 18 239:8 questioned 135:20 questioning 235:16 questions 26:18,21 27:4 30:2,11 44:21 53:1,2 65:20 73:24 134:11 176:25 181:18 191:4,20 194:11 208:7, 15 220:5 230:9 231:10 232:7, 16 233:22,25 234:2,14,15,25 235:9,21,22 236:12,21	237:4 238:17 240:21 quick 226:11 quicker 128:11 quickly 26:20 R race 189:7,8 raise 6:25 ran 101:10 177:8,9 179:24 180:3 197:17 198:2 209:6,7, 21 210:1,16,18, 19 211:6,12,23 rank 89:22 rap 169:7,10 Raymond 8:25 17:1 57:17 re-ask 20:11 51:7 144:22 205:13 237:17 reached 229:8 231:20 237:24 read 24:5 70:23 86:12 213:12 214:10 220:14 230:13 reading 241:11 ready 194:11 real 170:11 226:9 reason 15:4 49:22 141:15 152:11 182:12 197:19 199:5,7 reasoning 35:5 reasons 114:18 152:21 recall 10:12 15:24 19:18 25:19,23 26:2, 5,7,11 27:5,6, 12,17,18 47:22,	24 48:9 61:6 62:1,5,10,21,22 63:6 64:23 66:16 69:9 70:10 73:21 76:2,17 78:8, 15,16,23,24 79:6,10,18,21 80:3,7,23 81:2 84:17,20,24 85:11,13,14,19, 22 86:3,6,9 88:7 92:17 96:5,25 99:17 103:1 105:12 107:24 109:4,5, 14 111:4,14 113:21 119:11 129:7 130:21 132:9 135:2 137:19 139:10, 12,17 141:14 142:17 143:2 151:6 163:7,25 165:10 171:13 214:11 216:17 recalled 85:24 recalling 167:8 208:11 receive 64:16 86:24 108:24 109:24 119:9 120:13 received 83:12,16 108:14,23 109:6,10 110:5 111:5 216:25 recollection 25:23 27:8 32:15 62:15,19 63:4,13,16,21 78:13 85:4 86:13,16 87:16, 21 108:8,10 110:3,5,21 111:2 115:9 129:4 140:6,13, 16 161:23 162:2,11 163:23 165:14 167:12 182:9 219:11 227:5	record 6:3,14 7:12,15 15:3 20:14,18 51:12 53:7,8 54:13, 15,16 64:6,7,9, 10 107:4,6,7 131:20 151:15, 16,17 159:9 160:8 162:10 163:13 164:22 176:23 188:22 194:8 195:1 196:4,7 201:7, 9,10 216:12 220:1 229:16 230:7,17,19,20 237:11 238:13 240:4,7,8,10, 11,15,19 241:16 record's 162:7 recorded 132:8 recording 131:24 recordings 131:23 refer 18:3 19:1 77:17 114:13 134:12 193:23 reference 74:19 referred 49:18 198:6 referring 8:24 14:1,10,23 15:1,5 16:8 18:10,20 30:3 46:3,20 135:22 139:2 155:6 233:3,13,20,22 refers 119:16 reflect 7:16 refrain 128:14 129:16,18 refresh 62:15, 19 63:3,12,16, 20 86:13,15 115:8 165:13	167:11 227:5 refreshed 87:16 refuse 239:8 refused 25:12, 13,20,24 26:5 27:22 28:3 refusing 25:16 26:11 27:12 regard 236:21 regular 15:15 92:15 109:6,22 118:8 126:19 127:15 128:7 138:10 regulations 130:19 135:5 related 76:4 78:1 240:20 relevant 113:1, 4 116:2 120:24 123:25 134:2 reliability 156:23 relying 236:13, 20,22 remainder 240:22 remember 9:9 10:8,11 11:13, 14,16 37:4 41:20 47:17,18 55:22,24 56:2,4 57:5 59:16 75:20 76:24 77:4 78:3 81:14 85:7 91:25 95:8 97:4 98:25 103:4 108:17 120:12 122:18, 24 123:17 128:21 130:14 139:16 143:2 163:7 173:22, 23 176:7 182:7 190:14,20,22, 24 191:4,21 192:11,12,13, 16,18 193:2,4,
--	--	---	---	---

7,10,13 203:19 205:19 208:15, 17 209:6 216:14 217:5,7 219:15 remembered 76:18,22 77:3 Renee 18:17, 21 repeat 23:19 repetitive 23:18 rephrase 50:5 53:11 57:24 58:2 113:13 146:1 172:18 191:19 232:14 report 16:4,7 26:7,8,15,19 27:5 37:6 66:19 75:1,2 108:14, 18,22,25 109:7, 25 111:18 113:18 115:14 116:21 118:1 121:6,16,21 126:24 127:3 130:6,8 145:12 146:14,19 152:25 154:5 159:20 180:22 195:5,6,7 196:18 217:2,3 220:16,20,23 221:21,22 223:4,16 224:16 225:8, 12,21,24 226:3, 16 227:4 reporter 6:5,25 7:2,6 24:6,9 52:15 106:15, 16 113:18 159:1 194:7 219:24 230:15, 16 240:5,7,17 241:2,4,8,11,15 reports 16:5,7 23:7 25:17,21, 22 51:22 66:4, 5,16,18,19,20, 24,25 67:2,3,	11,19 70:8,10 72:22 74:20,25 75:5,9,11,14, 18,23 76:19 77:11 78:10,12 86:20,24,25 87:5,9,13,15, 18,19,22 111:24 121:9 130:2 145:17 160:2 162:4 181:1 213:17 225:15 represent 6:16,20 7:11 66:11 119:18 165:12 198:24 representation 236:14,20 REQUESTED 24:9 106:16 230:16 required 101:12 102:3,4 118:23 145:6,7, 12,16,19 146:3, 17,21 226:15 requirement 119:19 145:4 resolution 59:21 62:5 rest 132:15 result 55:14 64:17,24 resume 240:21 retain 146:21 174:18 175:5 retire 56:23 89:17 retired 56:22 89:14,19 90:4 92:2 132:3 retirement 57:2 89:23 retirements 73:6 retrial 229:12 231:17 233:9,	18 236:16 retrieve 139:8 140:4,7,14 141:7 155:3 172:7 retrieved 142:4 144:15 160:14,16,25 162:12 205:15 retrieving 172:4 reveal 43:9 review 9:15 10:9 66:7,13 67:19 159:10, 17 160:5 165:3, 7 176:24 177:3, 13 194:15,23 199:17 213:17, 20,23 220:7,12 221:14 223:12 reviewed 10:13 16:11 67:3,7,11,15 72:22 86:20 87:9,22 160:1,2 165:14 213:13, 16 214:8 221:7 reviewing 10:1 66:17 87:15 175:18 214:17 revise 51:20 revolver 223:23 rights 16:22 17:12,24 18:14 56:11 58:10,22 229:6 231:1 232:14,18 233:5 234:11 237:22 ring 97:15 road 113:22 robbery 48:7, 8,10,13 49:3,7 90:8 91:15 Robert 9:4 184:14	Roger's 36:2,5 Rogers 19:20, 22 20:5,19 21:6,10 22:17 23:1 35:22,24 36:2,11 37:2, 10,12,17,18 43:25 50:23,25 51:4,9,13,16 79:12,17,20 147:18 148:10, 14 149:5,14,15, 19,21 155:13, 15,17 156:20 157:4 161:3,16 163:14 166:8 167:23 168:9, 22,25 169:4 170:5,10,11,17, 20 171:9 173:1, 3,17 175:15 181:20 182:10 203:12 209:18 211:11 Rogers' 222:13 role 77:2 Ronald 184:9 room 94:22 95:21 97:24 98:10 100:2 123:24 rooms 94:23, 24 96:18,20 97:12,13 98:11, 13 99:17 131:19 rotated 100:17 rule 52:24 rules 7:17 52:6 53:24 130:18 135:4 238:15 run 178:15 197:14 198:13 200:10 209:5, 21 211:2,17 212:21 213:1 215:24 216:6 223:25	Rutherford 9:4 179:14,20 181:12 190:16 198:1 Rutherford's 180:22 <hr/> S <hr/> safe 21:18,22 87:12 178:23 sake 13:8 20:18 32:10 58:21 scenario 141:16 scene 221:23 226:15 Schalk 8:25 17:1,4,7,11 19:2,15,16 20:4,19 21:6, 10,23 22:5 24:13,17 27:21 28:21 31:6,9 32:24 57:17,18 63:1,19 73:2,4, 12,18,25 74:5, 6,11,12,17,18 75:15,23 76:3, 8,12,17,21 77:1,5,21,25 78:4,6,17,20,25 79:3,7,11,14, 16,19,23,25 80:4,9,15,24 81:3,4,8,18,23 82:5,13,16 84:13,20 85:8 88:2,3,5 127:5, 15,24 128:8,10 179:19 180:24 181:11 190:15 195:5,18 197:25 Schalk's 22:8 schedule 92:18 93:8 school 88:15, 17 89:9 109:2
---	--	---	---	--

seal 233:11	215:10	49:23 50:6	19,21 99:7,19	189:13 190:10
Sean 6:15 7:10	served 70:21,	56:18 58:11,12,	163:9	194:10,16
23:17 174:23	24 81:24 82:4,	13,14,15,22	sign 18:17	195:8,15 196:2
234:7 237:10	11 84:23 85:21,	84:5 196:20	19:3,22 20:5,19	212:13 213:11
238:6	25 86:19,25	220:23 223:1,6,	22:17 77:10	214:6,12,24
search 176:9,	session	17 225:10	124:12	216:23 219:23
16 177:17,18,	209:13	226:2	signature	220:5,10
20,22,23,25	set 11:21 12:2,	short 72:10	195:21,23	221:25 227:7,
178:4,11,17,19,	5,6 71:16	shortcut	signed 77:11	22 228:5
20,22,24 179:9,	98:16,17 99:13	116:21	similar 104:7	sit 33:20,24
24 180:3	102:4 150:15	show 11:7,11	106:25 137:2,	97:19 162:18
181:13 190:8	173:3,16	12:21 13:1,4,22	11 144:1 164:3	193:14
197:1,14,18	setting 52:23	14:6,8,19 67:15	204:4,20,23	sitting 9:20
198:2,5,12,13,	Shalonda	69:22 70:8,12,	205:22 206:1,5	situation
25 199:3,6	62:24	15 101:13	208:1,4 217:21	123:14 138:15
200:10 209:1,5,	Shanee 18:17,	137:4 148:7	218:2,18,20,23	164:12,14
8,21,22 210:1,	21,22,23,24	154:9 155:3,17	219:7	situations
16,17,20 211:2,	19:1 35:2 38:3	156:20 157:11,	simple 123:16	55:14 138:17
23,25 212:20	39:21 42:14	12 158:23	simply 232:6	six-month
215:23	46:7 78:7,11,	161:4,16	simultaneousl	90:18
searches	17,25 148:20	162:21,23	y 39:23	size 96:22
176:18 177:7	149:6,8,12	163:11 164:18	single 13:2	sized 218:18,
178:15 179:3	share 119:21	168:25 171:20	14:1,14 154:9	21,24
198:20 211:6,	132:10,14,21,	173:3,15	157:12 176:22	skin 105:4
12,16 212:8	25 133:9,14,21	176:20 209:18	187:23 228:14,	204:19
213:1	shared 94:3,17	210:8,12	17 229:2	slash 204:24
seasoned	Sharing 133:6	219:22 229:2	sir 7:9,15,19	slightly 226:22
112:5 114:3,7,	sheet 125:16,	showed 40:23	8:13 13:5 15:6	slow 128:2
11 156:3	17 127:1 169:7,	41:16,24 70:10	16:21 18:16	solemnly 7:2
selecting	10	149:16,17	21:1 22:1 26:19	solicit 104:1
204:2	sheets 118:16	161:6 162:3,12	29:4,15 33:15	solved 9:23
sense 30:22	Sheree 222:8	163:13 164:2	35:21 36:15	someone's
134:21 164:3	shift 92:15	166:7,15,21,24	39:1,20 42:11	134:17
209:14	shoot 43:1	167:3,4 170:20	46:8 48:6 49:9	Sorrell 7:21
sentence	58:18	171:25 172:20	52:1 54:25	8:14 10:25 11:6
224:2	shooter 37:23	173:4 174:15,	56:20 58:3,9	12:8,10,14,20
separate	38:2,10,15	18 175:6 200:8	59:1,11,22	14:20 16:22
40:17,23 70:1,3	40:10,14 43:15	201:21 203:11,	66:2,20 67:8	17:8,12,20,24
94:21 98:11,13	shooting 7:20	17 206:16	82:21 105:10	18:3,10,14,18
109:11 235:19	8:14 16:22	showing 33:20	12,15 160:9	19:4,23 20:20
sergeant	17:12,20,24	156:12 164:8	161:5 163:11	22:18 23:11
77:15,16,17,18,	18:10 27:14	210:10 228:13,	164:24 165:8,	24:15 25:1
21,25 78:1,3	28:23 33:25	17	18 166:3 168:2	27:14 28:23
85:14	38:16 40:7	shown 13:12	172:24 176:25	29:2,6 31:10,
sergeant's	43:5,10,16	40:15,16 42:13	177:3 183:3,25	15,20,24 32:8,
95:11,23	47:7,10,14	144:4 157:4	184:3,7,10,15,	19,22,25 33:4,
sergeants	48:4,21,25	161:7,13	24 185:6,10,14,	8,13,16,25 34:8
94:20		185:23 186:2	17,21 186:22	
series 164:25		189:25 190:1	187:4,14 188:1,	
		shows 14:13	5,9,16,23	
		side 94:7 97:5,		
		7,9 98:14,16,		

35:15 38:10,16 40:6,11 43:2,5, 10 45:8 48:4, 21,25 49:4,23 50:7 76:5 84:4 118:11 167:13 179:24 196:20 211:13,17 212:21 213:2 215:7 219:13, 20 220:24 221:8 sort 123:2 145:13 sought 133:23 236:10 sound 59:19 63:9 south 97:5,25 98:2,3,4,6 speak 68:1 69:14 72:24 73:2,4,8,11 81:8 99:18 145:22 speaking 43:7 99:24 149:14, 18 150:5 219:12 speaks 216:12 special 92:24 93:2,7 specialized 109:5 111:4 specific 10:8, 15 16:7 22:25 66:16 75:5 103:4 111:13, 21 136:11 140:6,9,13,16 217:24 221:16 specifically 8:13 9:7 10:17 16:10 18:9 59:1 76:3 78:15,16 93:25 105:21 107:25 108:2 109:4 128:14, 20 136:3 143:2 233:13	specifics 76:15 78:23 96:18 spell 7:12 spent 22:21 37:2,10 48:13 spoke 49:15 67:23 68:15 69:6 71:18 77:14 80:8 81:7 149:15 219:17 spoken 81:18 squiggle 183:5,17,20 184:19 185:13 186:21,24 squiggles 183:24 185:5,9 186:13 190:9 192:14 200:17, 23 St 88:18 stage 98:23 stamp 166:3,6, 7,14,20 167:2 176:23 183:10, 12,14,16 184:13,17,22 185:4,8 187:6 220:1 stamped 214:2 stand 98:23 100:2,7,10 238:23 standing 13:16 23:22 99:15 223:21 stands 189:8 Starr 6:15,16 7:8,10 12:3,25 15:2 16:20 20:3,8,10,13, 16,25 21:21 22:23 23:22 24:2,5,8,10,23 25:10,18 26:17 27:1,3,19 28:1, 11,17 29:10	30:13 32:5 34:13 36:19 44:12 45:23 46:12 50:17 51:6 53:25 54:1,11,20 57:23 60:20 64:5,14 65:12, 14 69:1,4 74:1 77:13 83:4 84:12,18 101:7 102:1 104:20 106:20 107:11 111:22 113:12 117:14 120:3 128:24 134:8 136:22 142:23 144:21 146:13 147:11,23 148:24 150:11 151:25 153:19 155:24 156:19 157:2,19 158:22 159:2 162:17 164:13 165:6 166:13, 19 167:1 168:12,19 171:1,8,24 173:8 174:21 175:1,17 177:6 181:5 182:2,6 185:25 187:1,9 190:7,18 191:8, 13,18 192:6 193:1,6,17 194:6,8,14 197:12 201:4, 14 202:8 203:6 210:2,24 213:6, 10 219:25 220:3 223:11 224:13,25 225:19 227:17 228:16 229:1, 16 230:1,6,9, 12,24 231:4,9 237:12,17,20 238:2,9,16,18, 25 239:6,15,23 240:15,18 241:1,6,7 start 10:4 38:8 132:1 177:1	started 10:20 90:3 162:8 178:1,11,24 221:8,15 starting 90:2 214:17 241:5 state 7:12 29:21 168:7 state's 47:19 statement 18:18 19:3,23 20:5 22:17 23:2 35:25 36:3,6 37:11,12,19 47:20 50:23,24 65:19 175:15 states 6:11 233:12,15 stating 236:10 station 131:17 stay 124:16 stayed 90:10 staying 188:11 211:10 steel 223:22 Stefanich 6:19 11:25 12:22 14:22 16:17 19:25 20:6,9, 12,22 21:16 22:19 23:15 24:3,20 25:7,14 26:13,23,25 27:15,24 28:5, 14 29:7 30:9 32:2 34:9 36:16 44:11 45:17 46:9 50:14 51:2 53:23 54:12 57:22 60:17 65:11,13 68:21, 24 69:2,3,5 73:22 77:7 83:2 84:9,16 101:3, 22 104:17 113:10 117:12 119:23 128:16, 18 134:5 142:20 144:19	146:7 147:7,9, 20 148:22 150:8 151:13, 23 153:16 155:21 156:15, 25 157:15 158:21 162:14 164:10 166:10, 16,22 168:11, 14,16 170:23 171:5,21 173:5 174:20,23 175:12 181:2, 22 182:5 185:22 186:24 187:7 190:3,11 191:6,10,23,25 192:2 197:4 201:1,6 202:4 203:4 209:24 210:21 223:8 224:10 225:13 227:16 228:11, 23 229:7,24 230:2,8,11 231:2,8,12 232:8,15,19,25 233:7,15,22 234:3,6,12,16, 20,24 235:4,8, 11,24 236:13, 19,24 237:7,9, 19,23 238:11, 22 239:4,13,21 240:24 241:9, 14 step 209:19 steps 121:20, 23 175:21 208:23 stick 143:8 sticker 64:20 stop 117:24 189:18,22 stopped 223:25 story 156:2 straightforward 90:14 street 104:1 131:13
--	--	--	--	--

strictly 98:20, 21	120:9 124:19 132:22 133:15 158:1	110:23 123:12 127:21 131:21 132:7 197:3,11 215:18 216:18, 19 223:17 224:9,18 226:1	talked 45:13,15 50:19 65:24 67:20 71:10,11 73:17,19 75:10, 15,17 76:7,11, 14 77:21 78:8 80:17,23 81:3, 12,22 160:2 161:9 207:21 211:11 222:10 227:24	157:14 208:13 235:16
strike 10:3 11:20 12:12 14:12 16:6 19:15 23:5 26:4 28:8 37:25 43:8 45:10 46:24,25 47:25 61:13 62:21 65:15 71:17 81:7 106:8,21 115:12 117:15 120:23 122:14 139:6 151:11 153:3 156:12 157:3 162:21 170:8 172:15 175:9 196:24 204:6,7	supervisor's 96:8 supervisors 95:15 133:11, 22,23 supp 16:10 47:15,23 121:18 124:4 130:6,8 supplementar y 66:25 113:18 116:21 118:1 126:24 127:2 supplied 176:2 supposed 111:24 238:14 suppress 29:4 suppressed 30:24 31:6,10, 14 32:7,18 234:10 238:7 suppressing 59:7 60:24 65:6 Supreme 119:19 suspect 43:9, 19,23 44:1,6, 10,14,19,25 49:22 104:9,15, 25 105:4 108:11 115:20, 25 122:20 123:3,7,10 126:5,6,10 127:9 128:13 131:7,8,16,23 138:24 139:4 141:22 143:19 152:23 153:5,7, 22 155:2,3 164:9 174:22 196:24 216:1 225:9 227:14 228:9 suspects 44:8 45:4 105:8	suspend 240:19 Suspended 241:14 sustained 62:7,9 Swaminathan 24:7 231:22 232:11,16,20 233:2,13,19,25 234:5,7,14,18, 22 235:1,6,9,14 236:7,18,21 237:1,8,10,16 238:6 swear 7:1,2 system 176:3, 8 212:17 T table 98:19 99:13 tables 97:17 tactics 23:13 24:18 25:5 28:12 taker 128:1 taking 52:15 55:2 122:14 128:14,25 129:17,18,23 181:17 182:14 talk 41:6 52:16 68:20 71:14,17, 19 73:20 74:18 75:4,6,22 77:1, 5,24,25 78:6,20 79:3,11,22 82:5,10 165:1 203:7 222:21, 22 225:16,18 229:21	157:14 208:13 235:16 Terrance 6:22 Terry 19:20 23:1 35:22 50:23,24 51:4 62:11 79:12,16, 19 147:18 148:10,14 149:5,14,15,18, 21 155:13,14 156:20 161:2, 16 170:11 173:17 175:15 184:2 188:4 209:18 211:11 235:23 test 55:7 90:7 91:5,13 testified 16:1, 25 34:7,15 35:18 39:7,15 40:22 45:18 46:15 48:1 49:25 50:4,7 67:2 167:23 169:20 171:14 197:24 199:22 200:22 202:14 208:10 209:20 216:4 217:21 222:24 227:9 228:7 testify 26:15 36:24 67:16 114:4,8,17 197:13 210:16 237:14 testimony 7:3 11:23 16:14 19:14 30:19 41:1,8 42:18 46:1 54:23 55:4,7 108:4 110:9 146:3 153:17 155:14 161:10,19 162:15 168:14, 17 172:18 179:8 191:11 192:3 197:5 200:7,18 201:2, 20 202:5	

212:18 213:4, 17,20,23 214:4, 11 228:18 232:3 233:11, 20 236:23 Thaddeus 59:12 227:23 229:5,9,12 231:1,5,11,14 232:3,9,17 234:11 237:21 238:20 239:2, 11,19,20 That'd 119:22 themselves 126:7 thin 219:1 thing 13:7 27:9 34:18,25 35:18 37:21 45:11 46:18 54:2,6 108:17 119:3 122:22 124:17 127:11 138:21 141:22 152:6,7 158:6 216:20 things 30:17 34:11,15 35:7 52:7 73:21 78:10 81:12,13 82:22,24 96:13 122:5 124:3 128:5 191:1 192:9,10 212:7 224:21 thinking 12:15 141:21 thinks 48:20 thought 14:25 15:5 23:25 58:13 75:14 114:2 122:18 123:20 127:10, 11 128:22 133:24 140:12 141:24 142:22 153:4,13 157:13 168:24 198:11 212:11 218:11 till 241:13	time 6:6,7 8:19 10:15 19:16 21:5 22:13,21 23:24,25 36:13, 22 37:1,2,10 38:14 40:6,16 42:9 48:2,10,13 49:21 53:20,21 54:14,19 61:21 64:13 65:21 68:10,12,15 71:11 73:25 74:13 75:21 77:19 80:8,14 85:13 90:25 92:11,17 93:3, 8,16 99:21 100:24 103:2, 12 105:13 107:5,9,10,25 108:14 111:13, 14 115:20 116:12,23,25 118:9 120:17 121:2 122:4 124:10 127:14 130:9 139:2 140:25 141:19, 21 145:7 150:21 151:19, 20,21 159:12 167:7 169:7,10, 11,24 170:3,10 179:22 181:9 182:11 187:23 199:24 201:7, 13 214:16,18 217:9 225:16 226:4 230:17, 23 240:3,9,13, 14,15,22 241:10,16,17 times 11:11,14 12:12 16:16 19:9,10,13 22:2,4,8 35:3 47:7 55:11,13, 20 73:11,14,16, 17 74:14 81:6, 7,9,17,22 87:13 92:20 93:14,16, 20,21 102:10, 14,17,21 104:14 124:24 129:10 187:21	224:24 225:5, 10 226:1 235:3 today 6:5 7:20 33:20,24 50:1,8 54:23 55:8 64:12 65:25 66:17 67:4,12, 24 72:11,17 84:21 89:12 117:5 151:19 162:18 163:16 165:15 172:18 193:15 194:24 208:10 214:9 217:4 222:11 227:25 231:6 240:13 241:12 today's 6:6 16:12 57:3 66:3 67:18 68:16 71:9 72:9,21,25 73:3 76:4 78:7, 22 79:5,9,13,23 80:2,6,25 81:4, 8 88:6 107:9 159:18 160:1,6 165:8 177:14 220:13 231:6 told 35:19 37:21 45:1,3, 11,16 47:13 51:13 59:19 61:3 62:13,17 63:1,11,15,19 76:17,24 78:25 84:21 89:16 117:11 122:20 123:1,7,11 126:1,3,6 155:1,15 167:24 213:16 222:24 223:23 224:1 225:8 Tony 31:18 33:7 top 165:24 183:18 184:14 187:3,11 220:17 223:19 topic 107:24 232:23 total 102:11,18,	22 totally 105:23 156:18 touch 73:5 trained 107:20, 25 108:4,6,11, 18 110:9,18,23 125:25 154:8, 11 157:20,24 training 89:7 108:13,23,24 109:6,10,17,25 110:5 111:4 112:1 119:9 120:14 135:11 154:11,15 transcript 214:4 229:25 230:3 232:5,22, 23 233:2,6,14, 20 234:15,18, 22 235:15,19, 20 236:22 241:5 transfer 125:9 translated 52:20 trial 135:8 214:5 231:5 237:25 truck 224:1 truth 7:4 truthful 54:23 55:3,7 turn 34:20 100:10 101:14 183:12,16,23 184:5,12,17,22 185:4,8,12 turned 100:23 turning 100:8 turns 121:11 twins 218:8,10 two-minute 240:1 type 10:4 56:4	66:20 106:23 116:20 124:5 141:1 177:18 typed 116:17 122:5 types 11:24 67:3,11 138:17 141:6 235:9 typewritten 67:1 typical 93:21 232:6 typically 15:19 92:16 93:5,9,17 101:24 103:7 123:9 124:6 131:19 138:2 <hr/> U <hr/> Uh-huh 97:11 141:5 185:7 unable 174:19 Unclear 215:21 uncommon 132:13 Underneath 207:11 understand 7:19,24 8:3,6,9 18:11 22:1 30:2 43:22 52:8,11, 14,25 53:11 60:14 73:23 82:25 83:21 84:3 89:3 93:20 105:15 113:11 119:1,4 122:6 145:25 189:4 193:7 197:23 199:18 210:15 212:18 216:3 understanding 18:24 29:14 41:11 74:21 95:1 101:11 102:2 111:8,17 119:15,21
--	---	---	---	--

The Deposition of JEROME BOGUCKI, taken on April 29, 2025

120:4 134:15 155:2 182:19, 22 196:18 197:16 221:20 237:6 understood 53:15 102:5 unduly 157:21 158:2,18 239:10 unequivocally 170:2 193:8 unit 90:12 91:15 92:1 United 6:11 unlawful 23:13 24:18 25:5 28:12 63:12 unpack 35:17 unreliable 156:13,22 157:14,18 <hr/> V <hr/>	13,17 233:5 234:9,10 violates 229:8 violating 58:10 229:13 231:19 violent 90:10, 11 91:20,21 92:4,9 94:18 <hr/> W <hr/>	162:12 week 68:11 71:4,7 72:7 73:11,14 80:12 weekly 73:15 weeks 80:19 109:13 weight 206:4,5 west 92:8 97:5, 7 98:2,6 whatsoever 31:11 33:12 77:2 205:7 206:23 207:9 232:17,24 Where'd 88:17 white 163:21 Willie 7:21 16:22 17:12,20 18:18 27:13 215:7 220:24 win 233:16 Windows 97:10 windshield 64:21 withdraw 224:14 witnesses 22:13 29:21 30:20 31:24 32:12,15 34:3, 17,19 35:1,10 37:22 38:1 39:10,19 46:19 49:24,25 50:16, 18 58:24 59:2,3 60:8,15 86:4 108:7 110:19 117:16 127:18 131:4,21,23 161:9 162:13 163:14 164:2 203:11,18 215:13 216:1,7 221:24 222:3,7 224:17 239:19	Wojcik 31:18, 20,24 32:6,12, 14 33:7 63:2 77:15,18,21 78:4 85:15 Wojcik's 77:6 Wojick 77:25 78:1 wondering 152:20 word 47:4 81:11 234:6 words 41:17 45:25 work 10:4,25 17:19 31:20 92:15 107:21 226:20,24 worked 17:7 85:4,9,20 86:1 90:6 91:21 92:3 working 51:24 178:11,24 179:21,24 181:8,11 197:17 210:4 221:8,15 works 112:22 worries 34:21, 23 would've 92:9 157:5 173:2 176:17 180:2 210:9 211:18 212:22 217:12 219:5 221:7,11, 18 224:9 226:8 write 111:24 117:22 118:1 121:17 123:22, 24 124:4 125:20,25 126:2,24 127:2 130:8 152:25 writing 108:15, 18,22,25 109:7, 25 111:18 116:17 121:6, 14 123:21	128:5 190:24 225:7,24 written 52:21 101:6 116:20 124:4 130:2 170:22 wrong 45:11 83:9,15 152:15, 22 172:3 197:1 201:19 212:11 wrote 45:10,25 116:17 121:9 124:14 130:6 179:17 <hr/> Y <hr/>
vacated 8:7 83:1,10 vacation 210:5 verbal 52:19 versus 6:10 219:2 victim 86:9 222:5,6 223:24 224:1 victims 224:17 video 131:25 viewed 39:21, 22,23 40:1 viewing 13:19 99:8,11,14 100:18 105:25 violate 16:21 229:5 237:21 violated 17:11, 23 18:13 230:25 232:12,	wait 168:17 238:23 waiting 209:17 waiving 241:11 wall 98:4,6 99:4 100:2,3,13 101:17 wanted 87:20 143:19 155:10 156:1,23 157:18 215:6, 13 Warfield 57:7 watch 92:16,18 93:3,4,8 watches 92:25 93:14,21 water 151:12 ways 101:14 118:14 weapon 123:7 website 138:7, 11,13,18 139:7, 13,25 140:4,7, 14 141:12 142:4 144:12 160:22 161:1			year 10:4 12:17 56:3,21 59:16 88:21 89:17 90:2,23 years 10:22 66:21 90:15 91:25 96:14 105:16,19,23 124:22 190:20 205:2 206:10 yell 235:12 <hr/> Z <hr/>
				zoom 7:18 24:7 68:25 69:17,19, 20,23 71:3,16, 22 72:6 74:3 80:10 88:2,3 159:6 Zooms 69:24